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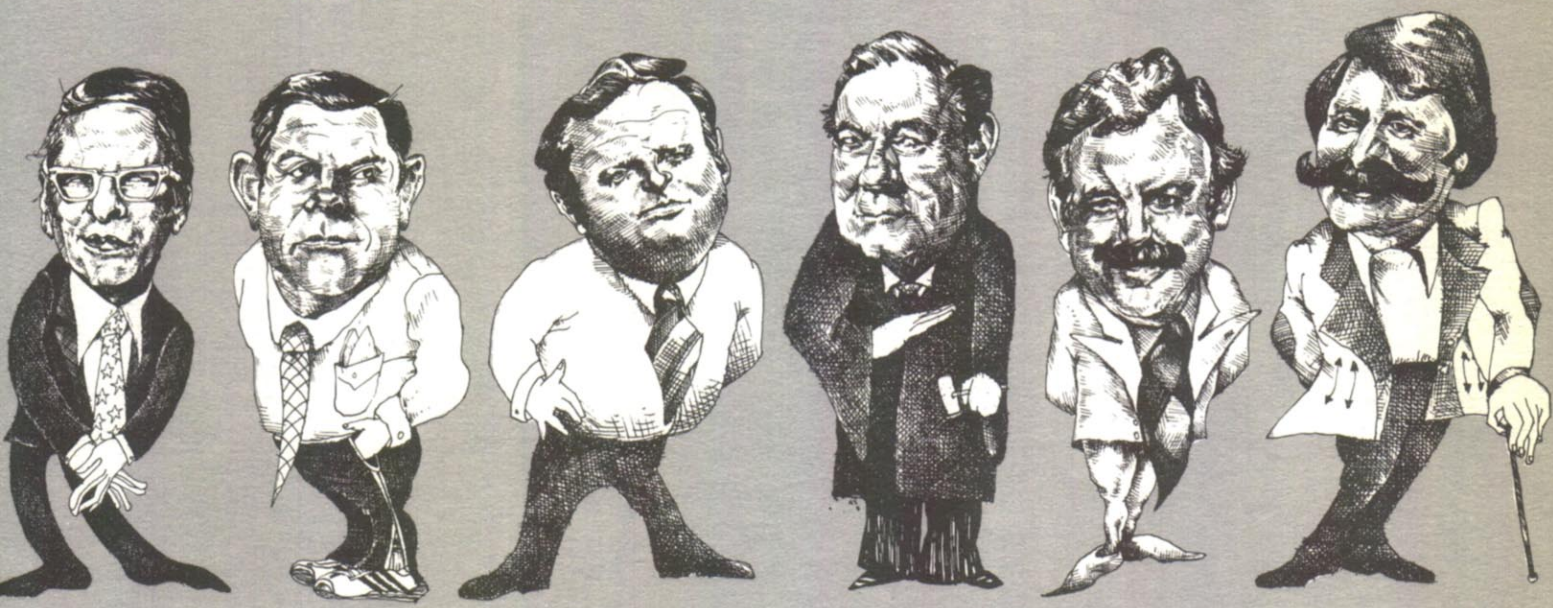
California Journal

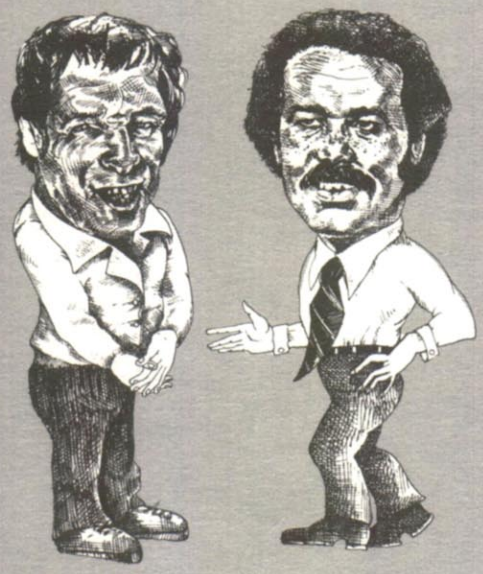
THE MONTHLY ANALYSIS OF STATE GOVERNMENT AND POLITICS



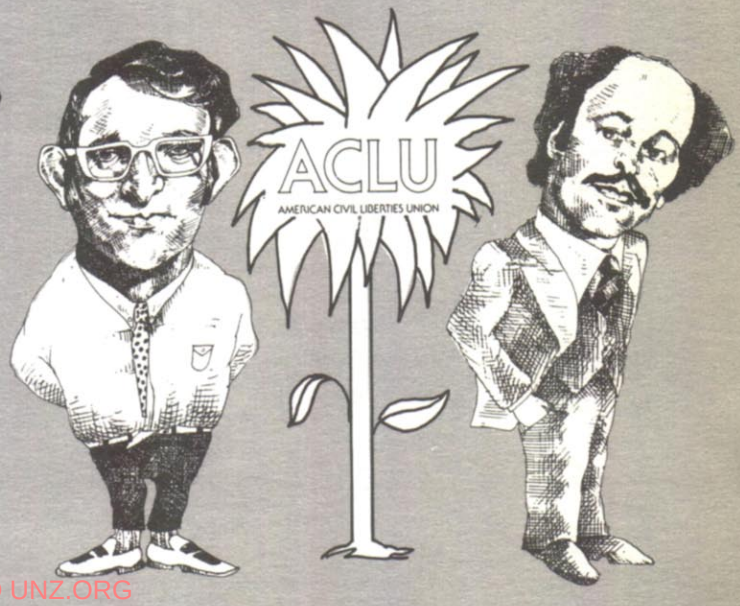
Sacramento's Top 15 Lobbyists

Inside the Brown, Younger camps

Chandler versus Copley in San Diego



League of California Cities



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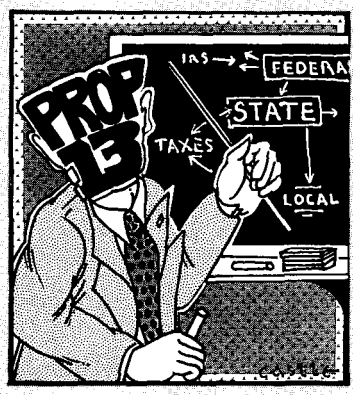
Personal

PERSPECTIVE

By Ed Salzman

Taking the tax test



Californians knew what they were voting for on June 6th when they approved Proposition 13 by a wide margin — lower property taxes and a denouncement of bureaucrats and professional politicians. Yet state and local officials heard a constant refrain from citizens during the bullet-biting time that followed the election: "That's not what I voted for."

Many Californians voted for the Jarvis-Gann initiative believing that the $7 billion loss in local revenue could be covered merely by using surplus state funds and by socking it to those on welfare. They never believed warnings that there would be cutbacks in a variety of so-called lifestyle services, such as libraries and recreation. Nor did they believe that local officials would have the courage to enact a wide range of service charges and nickel-and-dime tax increases.

How many citizens knew that welfare is essentially a federal program, and there is relatively little the state and local government can do to cut relief costs? How many knew that pensions for public employees are a much bigger drain on the local taxpayers than health and welfare programs? How many even knew that it is the county, rather than the state or the city government, that administers the welfare program? How many of those Californians who received massive increases in their assessments realized that these did not produce automatic tax increases unless local officials maintained the same tax rate?

Among many other things, the Proposition 13 phenomenon demonstrated how little the average voter knows about the governmental system, especially public finance. Perhaps that will be one of the major long-term benefits of the initiative — heightened interest in how government spends and collects its money.

But that is an optimistic view. How can the ordinary Californian be expected to sort out the various governmental entities and the plethora of taxes, when most of those in the media do not understand the system? Very few reporters understand budgets and revenue projections. Economics is a field that is avoided by the media in general because it is both dull and complicated.

And that goes in spades for the electronic media. Most of those who were reporting for radio and television during the Proposition 13 campaign would probably flunk any reasonable examination on public finance. And those who know the subject are normally restricted from giving it much time on the air, because the entire subject of government and politics is almost taboo on local television news program.

A few newspapers do an excellent job of providing information on public finance. Unfortunately, these articles are often tied to the news of the day, and the readers don't always put the pieces together.

The television folks contend that it is useless to try to educate the public on the intricacies of taxation because viewers will shift to another channel. In normal times, broadcasters are undoubtedly right. But these are hardly ordinary times. This may be the one chance in a lifetime for television to present programming on a normally dull but important subject and get a captivated audience.

California Journal

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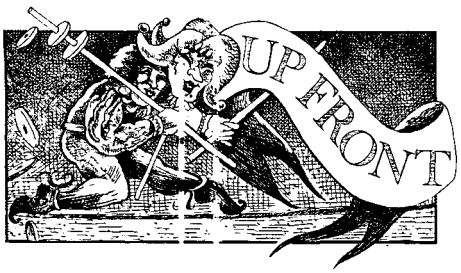

If the *Journal* seems a touch strange this month, blame it on the burglars who stole our typewriters at a critical moment in the production cycle.

Question of law soon to be decided by the state's appellate courts: Legally, what is the Legislature? The issue arises out of the state Fair Political Practices Commission suit against Democratic Assemblyman Tom Suitt, who was charged with failing to report the use of an Assembly staffer in his 1976 campaign. The law says that anything of value provided by any person to a candidate must be reported. Individuals and corporations are legal persons, but what of the Legislature? Suitt won the first round in Sacramento Superior Court when the judge ruled that the Legislature is not a person and help from a staffer thus need not be reported. The FPPC has appealed the decision.

If Evelle Younger were running for office in West Germany, he'd probably be in very good shape these days. Younger's office, through Deputy Attorney General Gloria DeHart, recently entered into a reciprocal child-support agreement with the Bonn government. As a result, former GIs (and civilians) who have left families behind in Germany soon will be operating on shorter rations.

Joan Reiss, who ran a respectable race against incumbent Assemblyman Leroy Greene of Sacramento in the June Democratic primary, hasn't even toweled off. She's still running against Greene as though the June 1980 primary were just around the corner.

Don Muir, who specializes in raising campaign funds from members of the Democratic Party's "green caucus," soon will no longer be available to Democratic candidates. He's going into the lobbying business, starting with a major horse-racing account. (For the uninitiated, the "green caucus" is composed of Democratic millionaires.)

Officials of the J.C. Penney Corporation are saying in Sacramento that the state lost a 2,800-employee distribution center to Las Vegas partly because Governor Brown refused to meet with the company president.

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From "41st Senator" to 1st lobbyist

Recognition as California's number-one lobbyist can hardly be considered the crowning achievement in Dugald Gillies' Sacramento career.

After all, for many years he was referred to as the only member of the Legislature never elected by the voters. In those days, he was known as the "41st senator."

Gillies probably would still be working for the Legislature instead of the California Association of Realtors had not the United States Supreme Court handed down its one-man one-vote decision which forced a major change in the composition of the Senate.

Gillies went to work for the realtors in 1967 after many years as consultant to the Senate Governmental Efficiency Committee, which was known in those days as the Legislature's "killer committee." The Senate leadership assigned almost all important bills to that committee, which was headed for years by then-Senator Luther E. Gibson of Vallejo, Gillies' close friend. The committee usually met secretly the night before the public session and decided for the most part how to dispose of its agenda. The details were left to Gillies, who was masterful at drawing amendments that would reflect the general thinking of the committee. Other members of the Legislature often resented Gillies' power and called him the 41st senator.

But Gillies remembers the committee activities with an insider's perspective: "This was in a different era. The committee handled all policy subjects. We met the night before to raise the issues they wanted to explore. Then there was no analysis of the bills, like today. The meetings just served the same purpose as today's written analysis."

Keys to success

It is fair to say that Gillies was feared and perhaps even detested by members of the Legislature who saw their bills killed and emasculated by the Governmental Efficiency Committee. Under these circumstances, it is all the more remarkable that he has emerged as the king of the lobbyists. How did he do it?

First, there is a massive turnover factor in the Legislature. Very few of today's Assembly members were on the scene in the early 1960s when the GE committee was in full flower. Secondly, Gillies has managed to convert the knowledge and experience he gained on the committee into assets when dealing with specific pieces of legislation. There is probably no one in Sacramento who knows as much about as many bills as Gillies. Third, Gillies works for an organization with a large number of members and an excellent communications system. When Gillies gives the word, the organization sounds the "Red Alert." Realtors and their friends flood the Legislature with letters, telegrams and phone calls.

Gillies claims that his success is attributable to a team effort that involves colleagues Jack Shelby, Darlyne Houk and Robert Martinez. But only Gillies was mentioned by legislators asked to name the state's most effective lobbyists.

Like most legislative advocates, Gillies feels that he has a dual role — reflecting the views of realtors to the Legislature and the attitude of government toward the realty industry. Gillies says he is often called by legislators for information on bills. Problems develop, he says, when everyone understands an issue but there is a difference of opinion. Persuasion is important in such situations, but facts are the key, he claims. "If you haven't got your facts straight," he says "nothing else works. Facts can turn a whole committee around."

Gillies is recognized in Sacramento as the master of facts. His associate, Jack Shelby, says that Gillies often takes two briefcases filled with reading material home at night and will study until the wee hours of the morning. "His power of concentration is phenomenal," Shelby adds. "When Doug is reading, you could light a fire in the room and not get his attention. He also has a fantastic capacity for retaining detail. He can remember the contents of bills, by number, even if they are 10 years old." Gillies' reading is far from limited to issues of special interest to realtors. He browses around unused bookshops looking for anything on the history of California.

Calling out the troops

Gillies is hardly the prototype of a lobbyist. He isn't the good-time-Charlie who hangs around bars ingratiating himself with quick wit and a light touch. He gets right to the point, lays out the facts and presents his arguments. And when crunch time comes he calls out the troops.

The realtors apply pressure with what they call the Legislative Tree System. At least five realtors are designated by the association's political action committee as point men and women. When the Red Alert is sounded, they contact their legislators immediately and get others to do likewise.

During this year's property tax debate, the Legislature appeared on the verge of enacting a stiff property-transfer tax. The Red Alert was sounded, and some 25,000 letters poured into Sacramento. The transfer tax was killed.

The realtors also make friends in the Legislature through campaign contributions. "We go over every single legislative race," reports Gillies. "We hopefully elect, or help elect, legislators who are philosophically in agreement with our organization."

For Gillies, working with a large organization has required a change in operations. Earlier in his career, he had to please only a few members of a committee or a single boss, Senator Gibson.

The 58-year-old Gillies spent the early years of his life in New York. He came to California in 1945 following five years of Army service and settled in Vallejo, where he did "amateur lobbying" for the city chamber of commerce. He became associated with Gibson in two ways, working as a part-time consultant to the then-assemblyman and writing a column for the Gibson-owned *Vallejo Times-Herald*.

As Gibson's power grew, so did Gillies'. And it peaked when he became known as the state Legislature's 41st senator. *– L. F.*

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How the legislators rate Sacramento lobbyists

By LAURA FREDERICKS

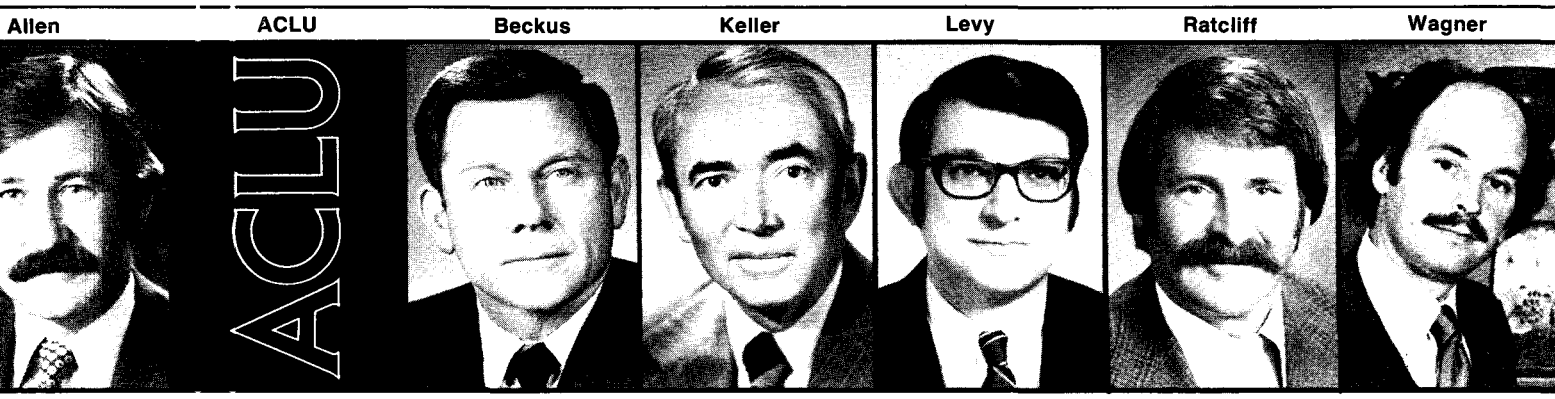
Jackson | Bergan | Garibaldi | Brown | Shillito | League of Cities | Prescott

The long-time king of lobbyists, James Garibaldi, is still a potent force in the legislative process, but he has been dethroned as the state's most effective advocate by Dugald Gillies of the California Association of Realtors. A *California Journal* survey of legislators shows that Gillies was the most effective lobbyist of the 1977-78 session — and by a substantial margin. Garibaldi dropped to fourth place. Their positions were exactly reversed in a similar poll taken by the *Journal* four years ago.

Gillies moved to the top during this two-year session primarily because the major issue before the Legislature was property-tax relief, and the realtors' lobby was extremely successful in blocking all legislative attempts to replace property-tax revenues with other property-related levies. Had not this issue been fresh on the minds of lawmakers at the time the survey was taken, Gillies might not have done quite so well.

Here are the lobbyists and lobbying organizations considered most effective by the 26 legislators participating in the poll (number of mentions in parentheses):

1. **Dugald Gillies** (12), *California Association of Realtors.*
2. **Clayton R. Jackson** (8), Association of California Insurance Companies, American Reciprocal Insurance Association, California Hotel and Motel Association.
3. **Mary Bergan** (7), California Federation of Teachers AFL-CIO.
4. (tie) **James Garibaldi** (5), numerous clients, including the Wine and Spirits Wholesalers and the Hollywood Turf Club; **Donald Kent Brown** (5), numerous clients, including Hughes Air West, Pharmaceutical Manufacturers Association and Sohio Transportation Company.
6. (tie) **Bob Shillito** (4), California Retailers Association; **League of California Cities** (4); **Ron Prescott,** Los Angeles Unified School District (4).
9. (tie) **J. Michael Allen** (3), numerous clients, including the California Radiological Society, the City of South Lake Tahoe and the Golden Gate Bridge and Highway District; the **American Civil Liberties Union** (3); **Robert Beckus** (3), numerous clients, including Knudsen Corporation, two



Allen | ACLU | Beckus | Keller | Levy | Ratcliff | Wagner

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car dealers' associations and the California Judges Association; **Lewis Keller** (3), Association of California Life Insurance Companies; **Ed Levy** (3), Association of California Insurance Companies; **Richard Ratcliff** (3), Dow Chemical, Mobil Oil Corporation and others; **Ethan Wagner** (3), Western Harness Racing Inc., Coalition of Apparel Industries and many other clients.

The missing biggies

Only four of this year's top-ranking lobbyists also made the list in 1974. Garibaldi was number one, Gillies fourth, Keller 10th and Ratcliff 17th. It is significant to note some of the large organizations that failed to make the list — the California Chamber of Commerce, the California Labor Federation AFL-CIO, the Teamsters Union, the California Taxpayers Association, the County Supervisors Association, the California State Employees Association, the California Teachers Association, the California Manufacturers Association. In fact, the only major business organization in the top 15 was the California Retailers Association, confirming a recent study by California Research giving the retailers the best grades among corporate advocates in Sacramento.

What makes one lobbyist more effective than another? California lawmakers seem to have as much trouble agreeing on an answer to this question as they do getting their heads together on tax-reform programs. A large discrepancy exists between what legislators feel *should* be the most important criteria for judging effectiveness, and what *are* the most important criteria. When asked to describe general qualities essential for success in the legislative halls, lawmakers mention honesty, integrity and knowledge of the issues. But, when pressed, most concede that large campaign contributions and large voter constituencies are equally powerful advocacy tools.

Other qualities which legislators admire in lobbyists are intelligence, good communication with clients, an understanding of the legislative process and good personal relations with lawmakers — though not necessarily in that order. The question of personal relationships brings up a strong point of disagreement among those on the panel. Some consider fraternization between lobbyists and legislators essential. Others feel it should be prohibited. Some feel that they must get along with an advocate to do business with him or her. Others said they prefer to avoid all personal (as opposed to business) contacts with lobbyists. But there was agreement on one point: Most legislators dislike lobbyists who come into their offices "just to shoot the breeze." They don't want their office time wasted.

Most legislators rate honesty as the most important asset for a successful lobbyist. Explained one lawmaker: "If a lobbyist lies to or deceives a member, he's dead."

Winning ways

How about the qualities that produced this session's list of the top 15 lobbyists? The following is a composite of comments on why legislators selected these individuals and organizations:

Gillies — *"articulate and knowledgeable . . . there when it counts . . . indefatigable . . . knows bills as well as or better than authors . . . can mobilize his people."*

Jackson — *"an honorable opponent . . . straight answers . . . knows the field."*

Bergan — *"tough but polite . . . provides useful information . . . shows a sense of commitment . . . understands both sides."*

Garibaldi — *"handles his clients well . . . personality plus intelligence . . . knows everyone."*

Brown — *"good and honest . . . very personable . . . reasonable and understanding."*

How this survey was compiled

Each of 26 legislators was asked to identify the most effective advocates or lobbying organizations in Sacramento. Lawmakers were also asked which qualities they felt were necessary for a successful lobbying operation and what effects they felt had resulted from enactment of the Political Reform Act of 1974. All participants were told that the views they volunteered would be used only for purposes of compiling an overall profile of lobbying activities. The rankings of lobbyists are based exclusively from the number of favorable mentions they received from the 26 legislators.

Survey participants: Senate — Democrats John Dunlap, Arlen Gregorio, Omer Rains, Albert Rodda, Jerry Smith, George Zenovich; Republicans Peter Behr, Robert Beverly, William Campbell, Dennis Carpenter, John Nejedly. Assembly — Democrats Howard Berman, Victor Calvo, Wadie Deddeh, Julian Dixon, Vic Fazio, Jack Fenton, Leroy Greene, Gary Hart, Lawrence Kapiloff, Barry Keene, John Knox; Republicans — Dixon Arnett, Richard Hayden, Bruce Nestande, Paul Priolo.

League of California Cities — *"One of the best-staffed organizations . . . organized and excellent . . . very professional."*

Shillito — *"can think fast on his feet . . . shoots opposition full of holes . . . effective because of his clients."*

Prescott — *"knows subject matter . . . uses respectable methods . . . provides good information."*

Allen — *"represents a new breed of lobbyists . . . good at educating his clients . . . knows what will and won't work."*

American Civil Liberties Union — *"intelligent and talented group . . . accomplishes a great deal without spending much money."*

Beckus — *"represents a diverse group of clients and does it well . . . honest and intelligent."*

Keller — *"Believable . . . always tells both sides . . . universally respected."*

Levy — *"involved for a long time . . . politicially astute . . . very active."*

Ratcliff — *"handles clients well . . . personable and intelligent."*

Wagner — *"gets right to the point . . . intelligent and persuasive . . . politically experienced."*

The new world of Proposition 9

It is apparent, both from the names on the list and from the comments made by the legislators, that the Political Reform Act of 1974 has produced a major change in the relationships between legislators and lobbyists — although some lawmakers disagree. Some of the powerhouse lobbyists of the pre-Proposition 9 days didn't even get mentioned by the 26 panelists. Intelligence and credibility now take precedence over personality. Here are some of the comments made by legislators about the effects of the reform act:

"The big spenders have been hurt . . . The lifestyle has changed . . . Decision-making has been diffused. Old friendships have lost meaning . . . Issues are the key now . . . The truly effective lobbyists are as good as ever . . . Credibility has become an important factor, but campaign contributions are still a big club."

In the "good old days," as some legislators like to call the pre-Proposition 9 era, the most effective lobbyists were those like Garibaldi who combined money, backslapping and salesmanship into victory for their clients. In those days, an all-business advocate like Doug Gillies could never have been king.

Laura Fredricks wrote "The huge pension headache" in the August Journal.

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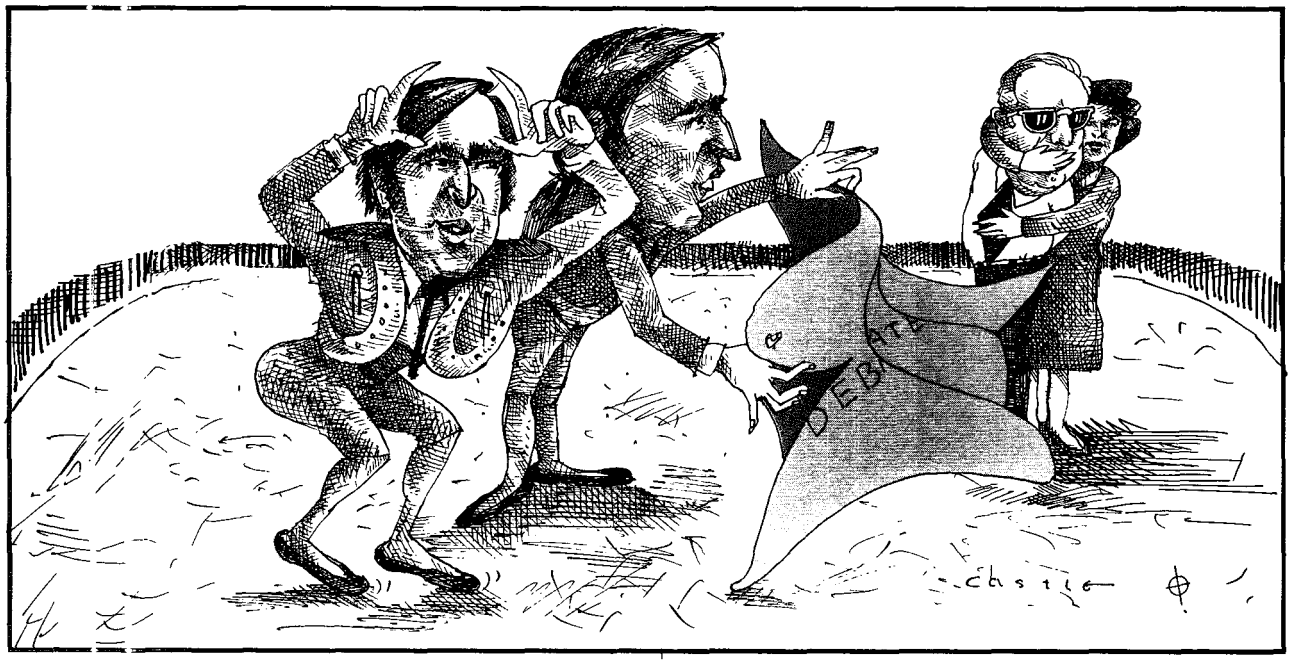
What happened to the rules in the Brown-Younger race?



By ED SALZMAN

Every rule of the political handbook is being violated in this year's California election campaign. Items:

- ***The candidates*** unlimbered their heavy artillery during the summer doldrums instead of waiting for the traditional Labor Day blastoff.
- ***The challenger*** in the gubernatorial contest, Attorney General Evelle J. Younger, has taken the more cautious approach in the negotiations over possible debates between major-party candidates. Normally, the challenger chases the incumbent and demands wide-open debates.
- ***Radio,*** usually employed primarily for name-identification purposes, was the prime early medium in the battle of words between Younger and the Democratic incumbent, Jerry Brown.
- ***Younger and the GOP candidate*** for lieutenant governor, Mike Curb, formed a joint campaign organization — something of a novelty in California.
- ***The incumbent,*** Brown, is running more like an underdog, grasping for the attention of the media to boost his image as the man who is making Proposition 13 work.
- ***Each candidate*** is accusing the other of precisely the same thing: "My opponent is a wild spender."

The gubernatorial campaign is unique this year for several reasons. The Jarvis-Gann initiative is an all-consuming factor in the race. Both candidates are well known to Californians, and there is very little that needs to be done to educate the public about them. Brown and Younger both felt it was necessary to win the horse race early because the Proposition 13 impressions made in the summer would probably hold over until November.

The election actually may have been won in the first few days after the June primary. Brown used the passage of Proposition 13 as an opportunity to regain some of his lost popularity. Younger vacationed in Hawaii, then checked into a hospital for kidney-stone surgery. By the time Younger returned to the campaign trail, he had lost a short-lived lead in the polls which he apparently enjoyed on primary day.

Debating the debates

The Younger strategy was to hit Brown hard with frequent radio commercials ridiculing the Governor's conversion to Proposition 13, his various statements on the level of the state surplus and his general inconsistency on fiscal issues. Brown fired back with a commercial labeling Younger as a big spender. The ad mentioned the rapid growth in the budget for the attorney general's office, two limousines used by Younger, his four pensions and showers in two of his offices. It was an extraordinarily strong personal attack for a candidate to use so early in the campaign, and it was clear that Brown was going to run an aggressive campaign in 1978. He had learned the lesson of 1974 — that it is danger-

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ous to sit on an early lead and try to put the race out of public view.

That explains one of the reasons why Brown adopted a less restrictive attitude than Younger during negotiotions over debates between the candidates. Brown called for wide-open discussions on commercial television. Younger sought debates on public television that would be limited to specific issues. Brown apparently felt confident that he could defeat Younger with a format that provided the most opportunity for rhetoric and creativity. Younger, on the other hand, wanted an opportunity to display his knowledge of government and to do it in a quasi-academic setting more appropriate to his low-key personality. It was the Younger camp that ended debate negotiations in mid-August.

Nobody seemed to be asking whether debates would serve any useful purpose, regardless of format. After all, hasn't the public seen plenty of both candidates during their years of public service? Shouldn't these two men be judged on their records rather than on how well they might perform on a medium built for entertainment rather than governance? Debates can be a useful tool in other cases — where the candidates may be relatively unknown, where the public doesn't know how the contenders stand on issues, where a joint grilling of candidates by reporters would help bring clarity to a campaign. But none of these conditions applies in the Brown-Younger race.

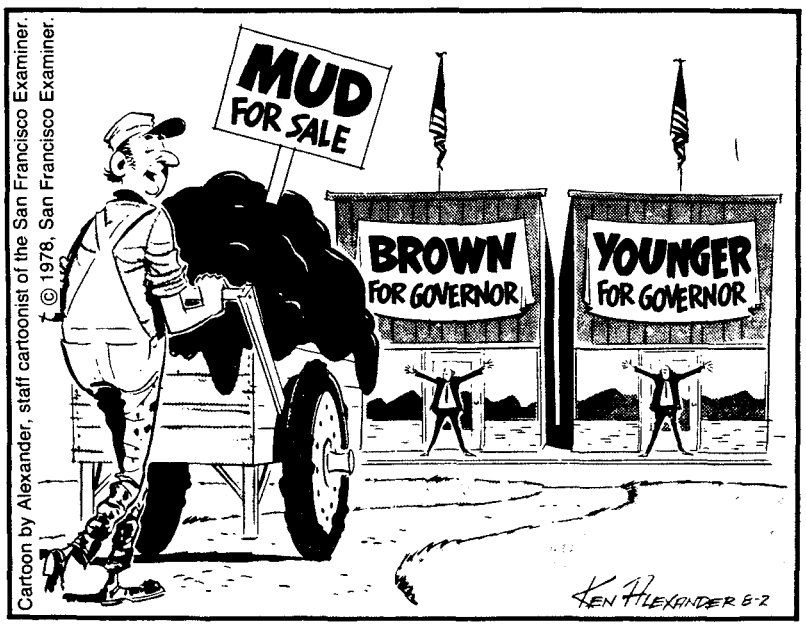
What's needed this year — if it were commercially possible — is a series of debates between candidates seeking lesser statewide office. How many Californians know anything about Donald French, Jay Margosian, James Ware or even Mike Curb or George Deukmejian? They happen to comprise the remainder of the Republican ticket below Younger. For that matter, how many Californians have any basis for evaluating the performance of such Democratic incumbents as Lieutenant Governor Mervyn Dymally, Secretary of State March Fong Eu, State Controller Ken Cory and State Treasurer Jesse Unruh?

Dealing with Jarvis

In the case of Brown versus Younger, the central question that pro-Jarvis voters must decide is whether to reelect an incumbent governor who opposed the proposition but then did a 180-degree turn to implement it swiftly and boldly. Or should they select a challenger who gave the measure little more than token support and then disappeared from view during the implementation period?

Then there is the issue of which of them is telling the truth about spending. This is an area in which statistics can tell horrendous lies. This year's state budget, for example, will go down in the record books as by far the largest ever — even though it is one of the tightest. That's because the $4 billion in post-Jarvis aid to local government will be reflected in the total.

The truth is that neither Brown nor Younger is a profligate spender, and neither is an ultra-conservative. Brown's spending policies have not been very different from those of his predecessor, Ronald Reagan. The Brown attacks on Younger have been based on perquisites of office (limousines, showers in the office, gifts) that statewide officials (at least before Brown) often received. Younger's four government pensions were earned by years of service, yet they make good commercial material in an era when politicians are suspect and double-dipping is a dirty word.


MUD FOR SALE
BROWN FOR GOVERNOR
YOUNGER FOR GOVERNOR
KEN ALEXANDER 8-2
Cartoon by Alexander, staff cartoonist of the San Francisco Examiner.
© 1978, San Francisco Examiner.

'Guess who's gonna be the busiest man in this campaign . . . me.'

No knockout punch

Did Brown steal the race with his swift early maneuvering? Private polls taken for the Younger organization indicate that Brown's handling of Proposition 13 definitely reversed his downward popularity slide. Veteran GOP campaign strategist Stu Spencer saw this as an ominous sign for Younger. He told the Republican Associates of Orange County last month: "I come from the school of politics that says, when you have two well-known candidates such as Evelle Younger and Jerry Brown, and you're trying to dump an incumbent, you'd better get to him early, before Labor Day, or you're in deep trouble." Brown was on the ropes on primary election day, but the Younger camp may have allowed him to avoid the knockout punch and to take the offensive.

Younger launched his expensive radio ad campaign in an effort to break the favorable linkage in the voter's mind between Brown and implementation of Proposition 13. Brown seemed to find a new way each week to show the public that he is carrying out its will. One example: the renter hot line designed to help tenants get their fair share of the Jarvis-Gann rewards or at least to prevent rent hikes.

While Younger's commercials were needling Brown about a series of inconsistencies, the Attorney General himself engineered a major change of position on Proposition 7, the November death-penalty initiative sponsored by conservative state Senator John V. Briggs. For months, Younger had been saying that there were serious constitutional problems with the Briggs proposal, which would expand capital punishment to more categories of murder. But when the campaign started to boil, Younger met with Briggs and indicated that he was now supporting the initiative.

From the intensity of the early campaign, it became obvious that both sides would spend several million dollars before the November 7th day of decision. In the primary, when Brown faced only a string of unknowns, the Governor spent $1.3 million. Younger, who had a much more difficult race, spent a bit over $1 million. The Younger-Curb organization has announced a goal of raising $4 million.

The coattail element

The operation of a joint campaign, while not rare, is not traditional in California. Curb finished the primary deeply in debt, and teaming with Younger would probably help him get out of the red. Younger, on the other hand, gains a charismatic show-business personality to liven up the ticket, plus better access to the conservative wing of the Republican Party. On the negative side, Curb figured to have an excellent chance against Dymally running head to head. By becoming identified so closely with Younger, Curb

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could be risking a chance for an independent victory should Younger be defeated by Brown.

It is always difficult to assess the coattail elements in a California election because voters don't usually vote a straight party ticket. On the other hand, there are definite partisan swells that sweep candidates into office in years when everything else is going against them. One key factor to be considered this year is the effect the Brown-Younger contest will have on the balloting for and against Chief Justice Rose Elizabeth Bird, who has been closely tied in the public mind to the governor who appointed her.

Taking aim at Bird

Republican campaign manager Spencer thinks the steam has gone out of the anti-Bird campaign, led by State Senator H. L. (Bill) Richardson, because the people are happy about the way the Governor handled Proposition 13. But the entire political equation would be changed dramatically should the court make major alterations in the initiative prior to the November election. The campaign against Bird is not restricted to the activities of Richardson's conservative organization. The Sacramento campaign-management firm of Russo Watts and Associates is also engaged in attempting to convince Californians, in effect, to recall Bird. Sal Russo, partner in the firm, said the separate effort was launched by some people in the legal and judicial fraternity who found it difficult to affiliate with Richardson because of his hard-right philosophy. Russo and partner Doug Watts were part of the Ken Maddy organization during the gubernatorial primary, and it is possible that Maddy will become vocal against Bird as the campaign progresses. The anti-Bird activities are being handled for Russo Watts and Associates by Mary Nimmo, daughter of Republican state Senator Robert Nimmo.

A letter written by Mary Nimmo on Russo Watts stationery to the administrator of the Supreme Court of Kentucky has been circulated widely in political circles. The key paragraph: "Several individuals who have been associated with the California court have indicated to me that you have less than the highest regard for Ms. Bird and her abilities. I would be very interested in knowing your opinion of Ms. Bird and your views as to how she is perceived by other state courts." Nimmo received a testy reply from Kentucky's William E. Davis: "Frankly, I, as a state official outside of California, find your solicitation of my opinions concerning the competence of a California judicial officer extremely indiscreet and offensive."

While Richardson and Nimmo are at work preparing the anti-Bird campaign, there is little evidence that any major effort is under way to run a high-powered pro-Bird campaign. Bird has indicated that she does not feel it is proper for her to run a traditional campaign, but if the going gets rough — as the Nimmo letter indicated it might — she could come out swinging.

Knowns and unknowns

The only other statewide race that was attracting any attention was for attorney general, where there were two reasonably well-known candidates — Democratic Congresswoman Yvonne Brathwaite Burke and GOP state Senator George Deukmejian. Deukmejian is generally considered the favorite because the post is now held by a Republican (Younger), because Burke is both Black and female, and because the death-penalty issue will be on the ballot. Deukmejian is identified widely as a leader in the fight for capital punishment, while Burke opposes it.

Lieutenant Governor Mervyn Dymally is running an independent campaign, staking out a position to the left of Brown (hardly a trick these days). Dymally has a capacity for making news (with his support of Patricia Hearst, for example), and he may benefit from Curb's close tie with Younger. Curb is trying to sell himself as a bright new face in California politics, a middle-of-the-roader acceptable to all elements of the Republican party and to moderate Democrats. The Dymally forces will try to show him as something less than a Hollywood boy wonder, probing his show-business dealings in detail and looking for embarrassing material.

The challengers in the three other statewide races might be called the GOP's unknown soldiers. Jay Margosian, James Ware and Donald French can only hope against hope for a Republican or an anti-incumbent atmosphere to allow them to unseat Secretary of State March Fong Eu, Controller Ken Cory and Treasurer Jesse Unruh. Of the three, Cory is generally considered the most vulnerable, but even Republican strategists concede that Ware is too weak a candidate to defeat him. Nevertheless, this year, more than ever, unpredictability seems to have become the norm. Even an unknown soldier might be electable.

ROSTRUM

Professionals/amateurs

"1978: loser/loser for Winner/Wagner" (August 1978) was a strange mixture of defensiveness and blame. As one who worked against Proposition 13, I criticize even such a successful and prestigious firm as W/W for too little/too late. From the beginning we knew we had to pass Proposition 8 as well as defeat Proposition 13. Assessments coming out in May is no excuse. They were expected to go up. W/W didn't get underway soon enough. We sent lots of money but concluded that even amateurs knew how to use it more effectively.

JEAN LOVEJOY
San Rafael

Bradley as innovator

I was shocked and amazed to read "Tom Bradley, Safety Over Leadership," *(CJ,* August 1978) by Michele Willens.

Ms. Willens quotes me as saying, "The truth is, Tom Bradley has never changed. He was never an innovator. Just a good, decent man." The statement is inaccurate and untruthful. My statement to Ms. Willens regarding her question, "Has Tom Bradley changed?," was, "No, Tom Bradley has not changed. He always was a good, decent man." There was no statement from me regarding Tom Bradley not being an innovator. As a matter of fact, I stated to Ms. Willens that, "Tom Bradley had been and still is an inspiration to me," and that I respected his leadership and effectiveness.

Further, the statement attributed to Judge William Clay that, "Tom Bradley was a strong leader and had he not been Black, he would have advanced to much higher ranks," was my statement to Ms. Willens. I am extremely upset at the statements that Ms. Willens has attributed to me. I have never met Ms. Willens, and spoke to her only briefly over the telephone regarding this article. I cannot imagine what could have possessed her to make such a misquote. Perhaps it was unintentional, but nevertheless some harm has been done and the statements were inaccurate.

It is this type of dishonest reporting which causes people of goodwill and openness not to want to communicate with media representatives.

JOSEPH T. ROUZAN JR.
Chief of Police
Compton

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The Brown campaign: jostling among the 'big six'

Left to right: Press, Davis, Barzaghi, Quinn, Silberman, Maullin

By Larry Liebert

Governor Jerry Brown's re-election campaign headquarters is in a seedy section of downtown Los Angeles, in a rundown office building. Despite leftover touches of elegance — the gilt ceiling in the lobby and old-fashioned elevator operators instead of automated lifts — the modest headquarters is a perfect prop for Brown's calculated image of tight-fisted austerity.

On the surface, all is working smoothly. Volunteers bustle about the ground-floor main office. In a corner nook, campaign manager Gray Davis plots grand strategy. In a suite on the sixth floor, deputy manager Bill Press runs the nuts-and-bolts of campaign scheduling, field offices and voter registration. Anyone watching closely will see veteran Brown advisers like Tom Quinn and Richard Maullin slipping in and out to give counsel.

Below the surface, however, Brown's campaign is still recovering from weeks of unseemly scratching and clawing for position among those in Brown's inner circle. Davis was figuratively kicked upstairs; Press was brought in to take over many of Davis' former duties; Quinn and Maullin reasserted themselves forcefully as Brown strategists. Informed accounts suggest the Brown campaign faced serious troubles in getting off the ground — and that remarkably bitter encounters were spawned by efforts to place blame and make changes. In the initial rounds, at least, it appears that Davis was the loser and Quinn, with Maullin on his side, came out ahead.

During the primary election campaign, Brown faced no serious Democratic opposition. His campaign, with Davis at its helm, nonetheless spent a fortune on television advertising to counter some of the damage done to Brown's image by attacks from a full slate of Republican contenders. After the June primary, Brown had the task of putting together a more complete campaign organization for the general election against his Republican challenger, Attorney General Evelle Younger.

Describing the Brown campaign in its early weeks, one top campaign worker groaned, "The decision-making process was tragically bogged down." Referring to the initial campaign structure, before Davis' role was restricted, a high-ranking Brown adviser said, "We obviously hadn't thought it through since it didn't work very well."

These troubles and the resultant infighting would be embarrassing to any politician, but doubly so for Brown. He pretends to be nonpolitical and never acknowledges that he even has a team of political strategists, much less a team engulfed in bickering. Asked about the recent squabbling

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among his troops, Brown attempted gamely to shrug it off. "It's a bunch of baloney. It's trivia, all this lower-level minutiae," Brown said. "I've got a state to run!"

The steering committee

Despite the Governor's protestations to the contrary, Brown's campaign is run by what some members call "the steering committee," a group that includes the Governor and his six top political advisers. Brown and his gang of six meet once a week, usually at night or on weekends.

Those in the meetings with Brown are Davis, Press, Richard Silberman, Quinn, Maullin and Jacques Barzaghi. Here is a rundown of these six key aides and where they stand now that the dust is settling on the infighting of recent weeks:

- **Gray Davis** — For most of Brown's term as governor, Davis was his chief of staff, the Governor's omnipresent shadow and self-styled "chief apologist." Now, Davis is on leave from that post to serve as Brown's campaign manager. Soon after June's primary election, however, it was revealed that Davis had been removed from day-to-day operations of the campaign, concentrating instead on broad strategy, media and particularly on fund-raising.

Chafing at the indications he had been kicked upstairs, Davis insists, "Ideas win campaigns. My job is to start the conceptual course that will result in a successful campaign." But it is widely believed that Davis was removed from everyday campaign activities because he had neither the experience nor the temperament to handle them. Davis is intelligent, thoughtful and hard-working, one of the most loyal of those around Brown. But he is poor at delegating authority, wanting to look after every detail himself. "Decisions piled up and no one made them," a campaign worker recalled of the period before Davis' role changed. "Because Gray had been known as chief of staff, everyone waited for him to make every single decision."

Davis also can appear smug and uptight, far from the easy-going, team captain's style expected of campaign managers. He came to the campaign with a backlog of enemies, those to whom he said "no" in his old job as gate-keeper for the Governor. Once Davis moved to a more vulnerable job, those he had rebuffed in the past were lined up to kick him.

For example, many political reporters received an anonymous memo filled with disparaging assessments of Davis' work in the campaign. Some of Davis' friends also believe that Quinn and Maullin plotted against him. These Davis partisans argue that Quinn and Maullin always have resented the power Davis held as chief of staff and that Davis was given that job at the start of the Brown Administration even though he was a relative newcomer to the Brown retinue.

- **Bill Press** — On leave from his job as director of Brown's Office of Planning and Research, this former environmental lobbyist has taken over all the day-to-day duties that previously were controlled by Davis. Press, a former seminarian who would like to run for Congress someday, has sharp political instincts that lurk behind a good-natured manner.

Both the Governor and Davis say that Press reports to campaign manager Davis. But other sources say that is a fiction for public consumption — that Press reports directly to Brown. Press insists he works cooperatively and amicably with Davis, but he refuses to allow his own role to be minimized. 'It's more than just mechanics," Press says of his job as chief deputy campaign manager. "It's the operational side of the campaign — travel, scheduling, field offices, voter registration. It's almost a co-director role."

Although Press has benefited in the recent infighting at Brown headquarters, he denies that he is a stand-in for more senior Brown advisers, such as Quinn. "I'm not anyone's clone," Press says emphatically.

- **Richard Silberman** — A millionaire from San Diego and co-founder of the Jack-in-the-Box hamburger chain, Silberman is ostensibly filling in temporarily in Davis' regular job of chief of staff. If Brown is re-elected, Silberman is officially slated to return to his old job as Brown's secretary of business and transportation.

But Silberman has been consolidating his hold on Brown's inner office and expanding his role as a key adviser on many issues. There is growing speculation that Silberman will stay on as chief of staff, and Davis will be offered a job as head of some state agency. Brown acknowledges he has promised Davis' former job back to him — "if he wants it, he's got it," Brown says. But Brown notes pointedly that Davis has often voiced his own interest in taking some other job in the administration.

Silberman has won effusive praise from Quinn and others for bringing brass-tacks organization to Brown's previously free-form inner office. Whether it is because he is older, richer or just more forceful with Brown, Silberman seems able to get Brown to follow a schedule more easily than could Davis, who had to cajole and wheedle the poorly organized Governor. But critics of Silberman's approach say the businessman is bringing a more conservative tone to Brown's decision-making and quashing the uniquely philosophical tone — one report called it a "coffee house" atmosphere — that flourished under Davis.

- **Tom Quinn** — One of Brown's closest advisers since he first ran for secretary of state and manager of Brown's 1974 campaign for governor, Quinn is now chairman of the State Air Resources Board. Nonetheless, he finds abundant spare time to advise Brown on touchy political issues. Quinn, a former radio newsman, is a whiz at manipulation of the media and can be expected to help produce Brown's campaign commercials and plan his television appearances. A personable man with a boyish Howdy Doody smile, Quinn seems both to impress Brown with his knack for handling the media and to frighten him at times with the brashness of his approach.

When Brown was first elected governor, there was surprise that campaign aides Quinn and Maullin were placed at the head of state agencies rather than on the Governor's inner-office staff. Both Quinn and Maullin have insisted they

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California CAPSULES

New delta standards send more water south, require federal releases The state Water Resources Control Board adopted a new set of standards for salinity control in the Sacramento-San Joaquin delta. Under the plan, some 160,000 acre feet of water will be made available for export to Southern California in dry years. The board claims this can be done without damaging delta interests through "fine tuning" of the standards. The board also adopted a decision requiring that water be released from federal reservoirs to help maintain the standards. This decision follows a ruling by the United States Supreme Court giving the state jurisdiction over federal water supplies.

Sohio, SoCal Edison conclude $78 million pollution-cleanup pact The Southern California Edison Company and the Standard Oil Company (Ohio) concluded a precedent-setting agreement August 19th calling for Sohio to spend $78 million to clean up pollution caused by the electrical utility. The pact is designed to clear the way for various governmental agencies to approve Sohio's proposed Alaskan oil terminal at Long Beach. The Brown Administration has insisted that Sohio install pollution-scrubbing devices on Edison plants to offset any smog produced by the oil terminal.

U.S. Geological Survey issues report warning of Auburn Dam hazards Potential earthquake hazards at the site of the proposed Auburn Dam have been seriously underestimated, according to a study by the United States Geological Survey. Despite this report, the U.S. Bureau of Reclamation insisted that a safe dam could be built on the site 37 miles northeast of Sacramento. The Bureau said it was reevaluating proposed designs for the dam. Critics claim a break in the dam would devastate the 750,000 residents of the Sacramento area, and Congressman Leo Ryan of San Mateo County said there is the potential for "one of the worst disasters in the history of the world."

Judge orders delay in abortion cutoff for women on welfare Superior Judge Francis Mayer of San Francisco issued a temporary restraining order on August 10th preventing the state from cutting off abortions for women receiving Medi-Cal benefits. The current state budget would have prevented Medi-Cal from paying for 90 percent of the abortions that might otherwise have been performed. The order was granted to a coalition of seven women's rights groups, which is challenging the legality of the court action on grounds that it discriminates against pregnant women who are poor.

El Segundo firm wins $130 million Medi-Cal claim contract Computer Sciences Corporation of El Segundo was awarded a $130 million contract for the processing of claims under the Medi-Cal program. The 5½-year contract is the largest ever awarded by the state for services. Blue Cross-Blue Shield previously served as the fiscal mediary between the state and various providers of health services under the $3 billion-a-year federal-state program.

chose to run agencies where they could have challenging work tackling meaningful, substantive issues. But the impression has lingered that Brown banished Quinn and Maullin because he had come to doubt their judgment in his narrow election victory in 1974 — or because he was determined to counter the widespread notion that Quinn and Maullin were the real powers behind Brown's throne.

Whatever their past relations, there is no doubt that Brown is depending on Quinn heavily in this campaign. "Quinn is always in touch with Brown on political decisions," says one Brown aide. "He's obviously playing an even greater role now — but this campaign is for all the marbles. Everybody knows this is a horserace."

- **Richard Maullin** — A former Rand Corporation expert on Latin American politics and revolutions, Maullin now chairs the state Energy Commission. Like Quinn, he finds time to advise in the Governor's current campaign.

Maullin recently spent his summer vacation working at Brown's campaign headquarters. Maullin is an expert at interpreting political polls, a talent that places him in an unusual position in a Brown campaign. The Governor has resented polls ever since the feeling of helplessness he experienced in 1974, when the respected California Poll showed (correctly, as it turned out) that he was losing his lead over Houston Flournoy. Had the election been a few weeks later, the trend suggested, Brown would have lost.

So, whenever Maullin gets the results of a new poll he brings them to Brown — who carries on about how useless polls are, then devours the results eagerly. Brown maintains that he doesn't commission polls of his own, although he clearly has on some occasions in the past. In addition to commissioning its own polls on occasion, the Brown camp keeps in close, informal contact with veteran Los Angeles pollster Dorothy Corey.

- **Jacques Barzaghi** — The Governor's expert at checking out the esoteric "vibes" of any situation, Barzaghi worries about the little details: the Governor's wardrobe, the seating arrangement at a conference, the art on the walls. But Barzaghi's influence extends much farther because Brown trusts immensely the instincts of his French-accented aide. Barzaghi is regularly called in to size up potential Brown appointees or the impact of a particular event Brown is considering attending. Barzaghi, who once aspired to be a film director, also can be expected to play a role in producing Brown's TV commercials.

A lecture on bickering

Among these strong-willed advisers, some strife and jostling for position is inevitable. But the bickering became so intense and so publicly visible a few weeks back that Brown reportedly gave his steering committee a stern lecture on behaving and directing their competitive instincts at Younger, not at each other.

Committee decision-making is a decidedly untidy way to guide a campaign — especially compared to the corporate-like organization of opponent Younger's campaign under manager Ken Reitz. Rather, Brown's campaign is like a swirling constellation, revolving around him at its center.

There is every indication that Brown prefers and encourages such an amorphous pecking order. "Jerry is his own director of politics," Quinn says. Others say Brown feels most comfortable when those around him aren't quite certain where they stand in his universe. Gray Davis may be out of favor for the moment, but a few months from now Brown might pull him back into the center of things and all but ignore Quinn or Silberman.

"It's a holding pattern — Jerry likes to leave everybody in a holding pattern," says one longtime friend. "Jerry likes to leave things uncertain — and probably not even he knows for sure where everyone stands."

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The Younger brain trust – wife Mildred, alter-ego Bakaly, young pro Reitz

After a quarter-century of seeking political office, usually as the heavy favorite against weak or unknown opponents, Evelle Younger now is up against a political wizard of the West who bested Jimmy Carter in five out of five presidential primaries. For the first time in his career, Younger enters this campaign with a fully professional campaign staff. It is no secret that Younger is a mediocre campaigner who dislikes the rituals of politics. And his past campaigns have shown it. In 1970 he was the heavy favorite for attorney general but he barely squeaked by, winning with less than half the votes cast against a little-known opponent. In 1974 Younger again ran against and beat an almost unknown Democrat who could not catch the Democratic tidal wave in the Watergate year.

In spite of his languid campaign style, Younger has never lost an election, and in 1974 he amassed the largest number of votes cast for any Republican candidate in the nation. Of current state office holders, only Senator Alan Cranston has received more votes in his career than Younger.

For this year's effort, Younger decided to abandon his seat-of-the-pants campaigns of the past and go with professional management from the start. This was a decision made jointly by Younger and the two persons closest to him in his political endeavors: his wife Mildred and his alter-ego Charles Bakaly.

Mildred Younger enjoys the turbulence of campaigns as much as Evelle detests it. Once the politician in the family, Mildred began her career by seconding the presidential nomination for Earl Warren in 1952 and was nearly elected California's first woman senator in 1954. But a rare disease which impaired her ability to speak for 17 years cut short her political rise. Still, Evelle considers her the best strategist he knows and defers to her on many aspects of his campaign.

Both Evelle and Mildred Younger believe in direct communication with voters. This is why the state will see a massive media effort on his behalf this fall, but little organizational work and almost none of the direct-mail campaigning popular with other California office-seekers.

Younger shares a view with Jerry Brown that successful campaigning in California depends on broad image communication with the masses, not "targeting" appeals to special groups.

The charisma gap

The Younger campaign will focus on his record as a stolid, if unexciting, administrator of a major state agency. There is virtually no interest on his part in sophisticated campaign techniques, shoot-from-the hip rhetoric or imagery gimmicks.

This strategy was developed by Mildred, Evelle and the third leg of the Younger triumvirate, Los Angeles attorney Charles Bakaly. Bakaly, a senior partner with O'Melveny and Myers, is Younger's closest confidant and the general chairman of the campaign. Something of a mystery man in California politics, Bakaly enjoys a role with Younger akin to that of Charles Kirbo with President Carter. While he is not a nuts-and-bolts strategist, Bakaly has a keen political sense. He and Mildred are usually in agreement on strategy matters and work together to bring Evelle around to a position. And Younger makes no political decision without first running it by Bakaly or Mildred.

Their first move was to develop professional management for the 1978 effort. Early in the campaign they hired manager Kenneth Rietz, a decision that was not endorsed by all of Younger's political backers. Rietz had just finished the unsuccessful campaign to elect Alan Robbins mayor of Los Angeles when Younger hired him. Before coming to California, Rietz had been national Youth-for-Nixon chairman in 1972 and a Republican National Committee staff member. He was abruptly released in 1973 when his name surfaced in conjunction with the Nixon "dirty tricks" campaign, although

PHOTO BY EVAN NOSSOFF

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Rietz himself was never accused of wrong-doing.

Rietz brought to Younger's campaign something the Attorney General's past efforts had lacked: professional handling of campaign detail. Rietz's strong suit is media, and the Younger radio and television spots are being developed through Rietz's own campaign firm, Palisades Communications. Hollywood professionals are producing the spots but Rietz and campaign media consultant Arnold Steinberg do the actual writing and purchasing of media time.

Steinberg also brings to the Younger campaign a tie to the Republican party's conservative wing. He worked three years for former Senator James Buckley, and in 1976 he ran the successful congressional race for Bob Dornan in Los Angeles.

Appealing to the right

Younger — who on most issues, other than law enforcement, is not very conservative and hardly ideological at all — has long disappointed the party's right wing. But he has never outraged it as other GOP moderates have. Conservative Senator H. L. Richardson let it be known in the primary that he and his cohorts could hardly stomach Mayor Peter Wilson and Assemblyman Ken Maddy, but they had no particular grudge against Younger.

If he is to have a chance against Brown, the Attorney General will need at least the passive support of the party's conservative activists, whose hearts still belong to Reagan. He may attract that support by tying his campaign to that of his more conservative running mate, Mike Curb.

Bakaly

Curb, a favorite of the Reaganites, may have an easier race than Younger against Lieutenant Governor Mervyn Dymally. Last winter, when it looked as though Brown was unbeatable, there was talk that all the Republican effort and money would go to Curb and the gubernatorial nominee, presumed to be Younger, would be little more than a name on the ballot. But after Brown's flip-flop maneuvering on Proposition 13, Younger's campaign now seems likely to be adequately financed.

The candidates' budget calls for a $4 million joint effort, with Younger spending 65 percent and Curb 35 percent. The Younger-Curb combo offers stark contrast to Brown and Dymally, who never appear together. Yet their individual styles are entirely different. Younger, 60, could win any dull-campaigner award, while the photogenic Curb, 33, reminds admirers of a youthful Ronald Reagan. Curb, seeking the state's second highest office, has never run for or held public office before, while Younger has been in office longer than anyone else on the statewide ticket.

Raising the money will be Joyce Valdez, a long-time Republican party fundraiser. Valdez ran the Younger financial operation in 1974 and has been active in statewide campaigns dating back to the successful Ivy Baker Priest campaigns in 1966 and 1970.

Younger organizations have traditionally had women in fairly high policy roles. His press secretary this year is Bonnie Shok, formerly with Senator Hugh Scott of Pennsylvania and Assembly Minority Leader Paul Priolo. Handling special groups will be Dan and Carol Waters. He is a former Los Angeles city lobbyist and she was Younger's first appointee to the state Fair Political Practices Commission.

The biggest chunk of the Younger budget, after overhead costs, will go for television and radio. Direct mail will be used largely for fund raising. As in 1974, Younger has contracted with political pollster Richard Wirthlin and his firm, Decision Making Information (DMI). The Younger organization has been pleased with DMI, and with reason. An early primary poll showed that Younger, not Ken Maddy, would benefit from a collapse of Pete Wilson's campaign, and that the undecided vote would break for Younger and against Ed Davis. Both predictions proved correct. Any discernible shift in Younger campaign strategy this fall will probably mean the sensitive DMI sensors are picking up a change in the political winds.

No stamp-lickers

The Younger organization will spend little time with precinct organization. Although the campaign has a field director, Carolyn Booth, she will not be expected to build the massive volunteer organizations favored by other candidates. In this approach Younger resembles Brown more than he does Reagan. Most of the stamp-licking volunteers will find themselves with Curb or local candidates this year.

Younger has never been a strong party man, preferring to run campaigns independent of other Republicans. This year the only serious statewide races beside Younger's and Curb's will be the one for attorney general between Senator George Deukmejian and Congresswoman Yvonne Burke. Younger and Deukmejian have been close on law enforcement issues in Sacramento, although they ran against each other in 1970 for the office Younger won. It is possible the Younger-Curb campaign will tie into Deukmejian in the fall.

While largely ignoring the party apparatus, Younger also tends to separate his political efforts from his job as attorney general. This results somewhat from the nature of the office: All but eight employees are civil service. Of Younger's eight exempt slots, four are filled by nonpolitical professionals, including his chief deputy attorney general, Charles Barrett, who is a registered Democrat.

Younger's main use of his office has been to develop his managerial image and to reflect his stands on issues. His decision to argue personally the Proposition 13 case before the state Supreme Court undeniably was a keystone in his political strategy. But for the most part, Younger's office and his campaign remain on opposite sides of the street.

Had Younger sought a third term as attorney general this year, he undoubtedly would have won easily, probably against another weak Democrat. He readily fits the state's image of an attorney general, a tough cop, a no-nonsense administrator. But is that what the people want for governor? Younger is gambling that his administrative ability — such a contrast to the free-flowing Brown style — fills the bill in the year of Proposition 13. His campaign constitutes a multi-million-dollar effort to test that belief, as the election clearly shapes up as a plebiscite on the mercurial Jerry Brown.

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Life after Jarvis:

The new political climate and the changing government structure

By Edward R. Gerber

It has been three months since Proposition 13 passed, but the ripples of its effect continue to widen across troubled waters. Voters believed they were getting property tax relief and sending a message to wasteful government spenders. But without realizing it, on June 6th they also set in motion some forces for profound change in California's structure of government and thereby created a new political climate.

Some opponents of the Jarvis-Gann initiative alluded to its potential effects upon local government during the heated campaign. But such concerns got lost in a flood of "show-time-politicians" rhetoric. And nobody could have predicted how significantly the state's carrot-and-stick bailout techniques would affect the concepts of home rule and local control.

In the process of distributing a massive state surplus last June, the Legislature permitted state intrusion into several areas which were previously local domain. For example:

- ***The provisions*** of SB 154 which prohibit pay raises for local public employees are the first state involvement in local salary-setting. They could lead to a more involved form of state salary setting for local government employees. Schools are most vulnerable to such regulation since the state provides a large percentage of school funds. It is also possible that salary controls could be established in other areas of local government. However, litigation is already underway to test these provisions of SB 154. At least one trial court already has overturned these provisions of SB 154.
- ***SB 154 and other*** legislation contain a number of strings, or "program controls." Two of the most important are the requirements to maintain the pre-existing level of police and fire services and to cut health services no more than the proportionate reduction in net county revenues. These two items mark an important state entry into areas which traditionally have been matters of local discretion. Clearly, in the police and fire area, home rule control has always been almost complete. In the health area, the state has had a substantial role, but each county was generally free to design a public health program which it found to be appropriate.

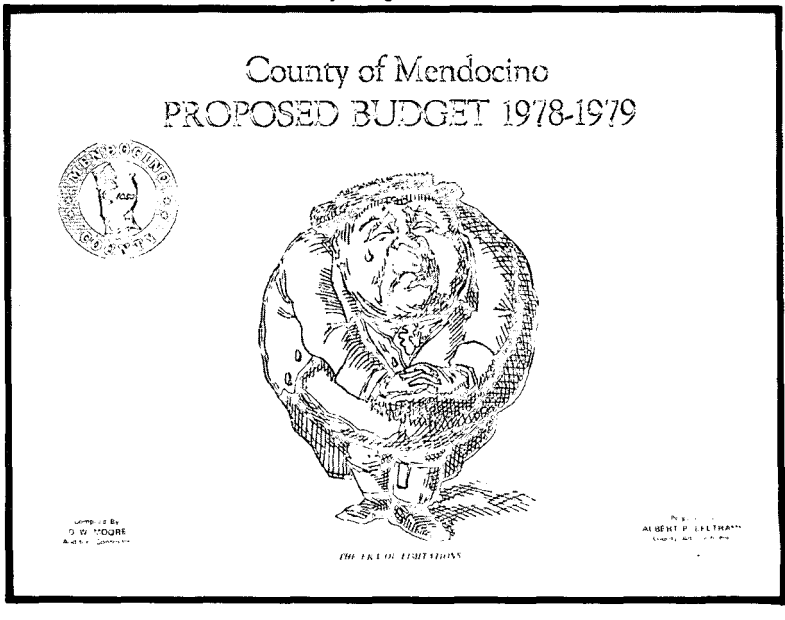
Now SB 154 has changed all that. The practical effect of these restrictions is to freeze into the government structure certain programs which are favored at the state level. The question not addressed is whether other, less-favored services are to be disproportionately cut to make up for the loss in revenues. With this year's large state surplus, that question could be generally deferred. But in the case of special-district assistance, fire districts are absorbing almost all of the available funds. Few state funds are left for services such as parks and libraries, although further bailout legislation seems likely to pass. The "worst-case" budgets proposed by many agencies were not implemented, but they may point the direction for the future. If so, next year's local government budgets will see no salary raises and a lot fewer employees.

- ***Public transit*** is also in transition. SB 1900 (Mills) provided short-term relief from certain maintenance-of-effort requirements of the Transit Development Act. But long-term relief is needed and the Legislature appears to be considering much greater state control of the details of local operations. Among the items being implemented or considered are mandatory fare-box recovery standards and state controls on labor contracts.

Sharp turn to the right

The changing political attitudes in Sacramento involve a sharp turn towards the conservative in a number of areas. The first and most obvious illustration was the willingness of the Legislature to submit to the will of a minority by

Levity amid lament, expressed by the whimsical wailer on the cover of the Mendocino County budget.



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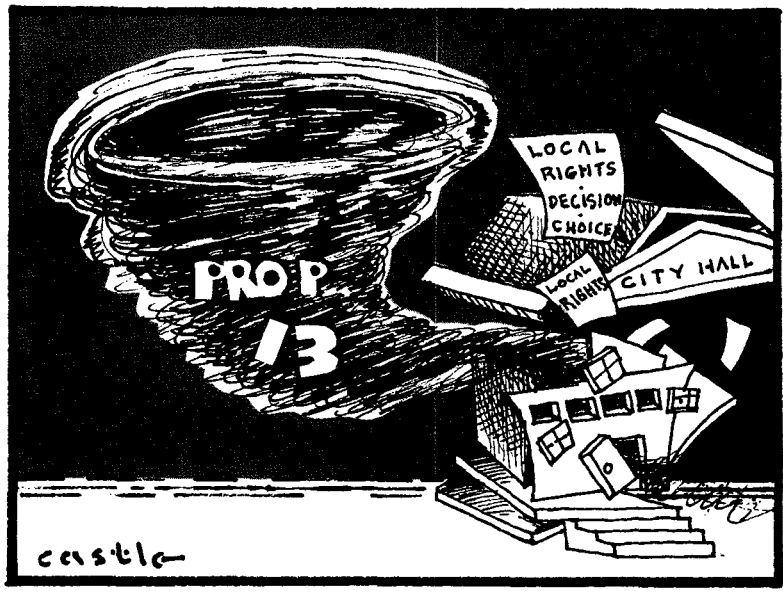
including very restrictive abortion controls in the State Budget Act. Many liberals strongly objected, but when it came to the roll call, the liberals went along with the inclusion of an abortion feature which they personally found abhorrent and which will anger a large number of their constituents. In the past the liberals have been unwilling to accept bargains of this type.

Throughout the post-13 legislative session, many bills failed because they cost money or created more government control. Many bills in the Governor's urban strategy were obvious victims on both counts. In the long run, such a tendency to inaction might be viewed by some as a salutary change in our form of government. In the short-run, however, it means that persons seeking legislative solutions to particular problems will face new resistance.

Such a change will both help and hurt local government. It will help in that additional mandates for new programs may be slower in coming. But it will hurt since the Legislature may be less willing to grant cities and counties new powers to regulate areas of concern to local government. Counties and general law cities may be particularly disadvantaged in their attempts to find new revenue sources, since without legislative action these agencies are locked into their present revenue sources.

After the elections

A further manifestation of this conservative swing is the preoccupation of the Legislature and the Governor with the establishment of some long-term system of revenue and expenditure controls. Governor Brown has apparently now embraced this concept. If such a measure becomes law, it will have great impact on the way governments implement the ubiquitous "spirit of Proposition 13." Choices will have to be made between maintaining existing programs and salary levels, or changing spending patterns. Those types of choices are extremely difficult, given the normal desire of existing bureaucracies to continue in operation. And revenue limits will clearly reduce the ability of the state to provide funds for local government.



The most important decisions will be made after the November elections. Legislators, having met their constituents face-to-face during the campaign, may come back to Sacramento convinced that a conservative tide is running in their districts. If so, the Legislature will be even less willing to undertake those actions which would in any way strengthen, enlarge or better finance government. There could develop an increasingly timid attitude by legislators toward acting on measures involving substantial public controversy.

Then there is the Governor's Commission for Government Reform, headed by former legislative analyst A. Alan Post. This commission is expected to recommend major changes in many existing institutions. This could place the status quo in jeopardy and would inevitably lead to screams from affected constituencies. Then the issue to be resolved by the Legislature would be whether to opt for efficiency and economy or for maintaining the status quo of the concerned con-

SIGNIFICANT COURT ACTIONS

The sanctity of the contract

Both the federal and state courts are full of lawsuits challenging the pay freeze imposed on local government by the state as part of the Legislature's Proposition 13 implementation package. The basic issue was whether the state could prevent the payment of increases that had been negotiated by public agencies and their employees prior to the passage of the Jarvis-Gann initiative.

In a Riverside County case involving a 6.5 percent pay hike for nurses, Superior Judge Ronald Deissler ruled in favor of the Public Employees Association of Riverside County and found the pay freeze "unconstitutional and void." The county supervisors voted to appeal the decision, but they also gave the nurses additional vacation time in lieu of the pay increase. Similar cases are pending in Los Angeles and several other counties, with many millions of dollars hanging in the balance.

The California Teachers Association filed separate actions in all four United States District Courts in the state to force payment of salary raises frozen by the state. These suits claim that the Proposition 13 bailout provision impairs contractual obligations and denies many teachers equal protection under the law.

The $600-million lag

In another Proposition 13 case, the state Supreme Court ruled in a brief order that taxes on business equipment and inventories — the so-called unsecured roll — will be based on last year's rates, not on this year's lower Jarvis-Gann rates. As a result, businesses will pay some $600 million in taxes they might otherwise have escaped. The unsecured roll is based, under the law, on the previous year's tax rate, roughly $13 per $100 of assessed value prior to Proposition 13. State officials had attempted to prevent counties from collecting at the old rate, claiming that the new rate of $4 should be applied. But the court said the law still allowed the unsecured roll to be based on last year's assessments. Next year, the $4 rate will be in effect.

'One narrow class'

During the past few years, the state Supreme Court has been wrestling with a difficult question: Can the owner of a car riding as a passenger in that car sue the driver for damages resulting from negligence?

In its first decision in 1975, the court said the state law barring such damages was unconstitutional. But it granted a rehearing and decided that the law was constitutional. Now, in the

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stituencies. The only factor that might pry this situation off dead center would be a shortage of funding due to Proposition 13. Such a shortage could require existing agencies to choose between the atrophy of existing services, going out of business or accepting some new form of operation. Local government obviously will be a prime target for the type of change which may be advocated by the Post commission.

Another interesting chapter of the Proposition 13 saga will involve the actual condition of the 1979-80 state surplus. The SB 154 plan projects that about $3 billion will be available for help to local agencies, compared with $4 billion in 1978-79. State budget cuts this year will increase the surplus and the Department of Finance is undertaking all possible cost-control methods to inflate the surplus further. However, any downturn in the economy would reduce state revenue and substantially cut the funds available for local bailouts. In any case, it is apparent that inflation will increase the cost of existing programs at both the state and local levels. Thus, even if the state surplus for 1979-80 approaches the $4 billion that is available this fiscal year, that must be spread over a local government base where costs will have increased.

Riding to the rescue

The actual apportionment next year will involve some important changes in several areas:

- The school demand for state funds will probably go up from the $2.2 billion contained in SB 154 to a much higher figure, perhaps as much as 2.6 to $2.8 billion. This, of course, will put a squeeze on the monies available for counties, cities and special districts.
- The state has a vested interest in maintaining the various social programs such as Aid to Families with Dependent Children and Medi-Cal which required $1.044 billion in SB 154. Counties also received $436 million to maintain many other services, including police and health and welfare services. This $436 million is likely to be in jeopardy.
- In similar peril is the $162 million for special districts and $250 million for cities. The clear underfunding of special districts in SB 154 leaves grave doubts as to the capacity of even a generous state surplus to maintain necessary local services.
- It is increasingly apparent that the Legislature may not desire to be the cavalry riding to the rescue in 1979-80. It will be in the same situation as local elected bodies in trying to spread an inadequate amount of money over too many areas. This is an invitation to displease people — something which legislators try hard to avoid.
- Another critical factor is that the 1979-80 allocation will be accomplished through the normal legislative process. SB 154 was the product of a conference committee, a very quick series of hearings and close control by the legislative leadership. However, a bill to distribute money during the next fiscal year could originate in a policy committee in one house, go to a finance committee, to the floor and then be subject to the same process in the second house, probably followed by a conference committee. This means that instead of the limited number of legislators who had an opportunity to shape SB154, many more legislators and lobbyists will be attempting to insert their own special features in the distribution formula.

Thus local government can look forward to attempts to impose more strings on any state money, and to an ever-increasing number of state bureaucrats looking over their shoulders. It also means that those groups which have the most political clout in the legislative process are most likely to see their interests well protected.

All of these factors suggest that California is merely in the first phase of implementing Proposition 13. The future appears to promise ever-growing state control over local government. There may also be less willingness among legislators to assume responsibility for many of the state's most difficult problems. As a result, local governments may find themselves between the proverbial rock and a hard place in the next few years.

case of *Cooper v. Bray*, the Supreme Court has reverted to its original finding by a 5-2 vote. Justice Mathew Tobriner, author of the majority opinion, said the state law violates the equal protection clause of both the federal and state constitutions, by singling out "one narrow class" of auto accident victims from being able to recover from negligent drivers. Tobriner was joined by Chief Justice Rose Elizabeth Bird and Justices Stanley Mosk, Wiley Manuel and Frank Newman. Justices Frank Richardson and William P. Clark dissented.

Newsmakers

A candidate for Oklahoma

Former Republican National Committeeman **William S. Banowsky** resigned as president of Pepperdine University in Malibu to accept the presidency of the University of Oklahoma. Banowsky, a 42-year-old conservative, has been discussed for years as a possible GOP candidate for governor or United States senator . . . Former State Treasurer **Bert Betts** should receive a pension of about $24,000 a year, more than he ever received as a state official, the California Supreme Court has ruled. The court said Betts' pension must be based on current pay for the treasurer's job, not on what Betts was earning in 1966, when he left office.

The United States parole board set a 16-month sentence for former California Congressman **Richard Hanna,** now serving a six-to-30 month term after pleading guilty to a bribery conspiracy charge in the Korea influence-buying scandal . . . President Carter apparently changed his mind and decided to retain former California Finance Director **Hale Champion** as undersecretary of health, education and welfare instead of appointing him Social Security administrator.

City Councilman **Robert C. Farrell** of Los Angeles successfully withstood a recall vote, winning 64 percent of the vote in his predominantly Black district . . . Mayor **Tom Bradley** of Los Angeles revealed that he had asked Governor Brown to name another councilman, **Arthur K. Snyder,** to a judgeship so that an opportunity would be created for a Chicano to win a council seat.

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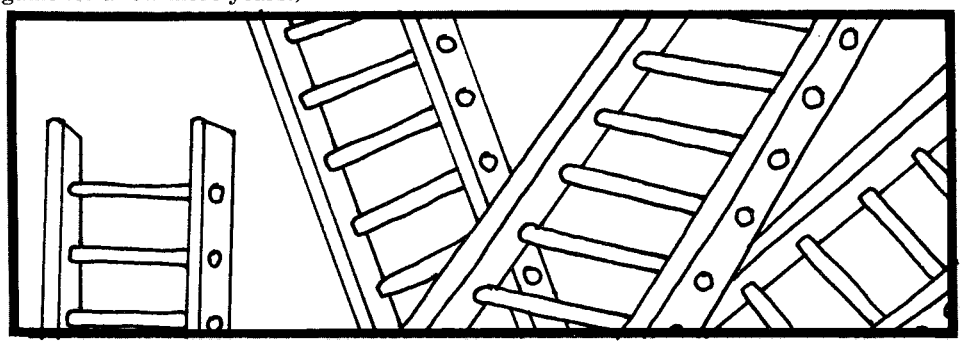
Letter to a Bureaucrat

By Beverly Robinson

Not long ago, a middle-management state employee and his wife received some distressing news from the East: A promising young friend had decided to forego a doctorate at Harvard and instead join a federal agency. Calling upon their years of experience in the world of bureaucracy, they sent the following letter of advice to their friend. (Ms. Robinson is identified as the author, because her husband wishes to keep playing the bureaucratic game for a few more years.)



Dear Andy,

Congratulations on your appointment to the staff of the Office of the Development of the Analysis of Outdated Forms. As a longtime bureaucrat and your old friend, I am taking the liberty of giving you some advice on how to cope with your new environment — the bureaucracy. The bureaucratic game is played by different rules than you may be used to, and since bureaucrats are being deprecated and are suffering from intense scrutiny now, the game has to be played with even greater finesse than before. These few tips, if followed, should help you in your early survival and launch you on a successful bureaucratic career.

A primary rule of thumb in your new environment is that no one really expects you to get the job done. In fact, you may find it difficult to find out what "the job" is because your bureaucracy is probably no longer doing the work it was created for but is concentrating on staying in business. Your job is to focus on your own upward mobility in the organization while creating the illusion that you believe the work of the organization is important. Particularly important is creating the illusion that you, indeed, are doing the work of the organization.

Keep in mind, too, that organizational income is not related to producing a product. An Edsel for you may not be a disaster. Rather, success of a department is measured by longevity and, if possible, expansion. It will be your job to preserve the existence, if not the integrity, of your group when the inevitable reorganizations emerge. Reorganization creates the illusion of work and even crisis without impinging upon the purpose of the reorganization, which is, of course, survival. This may mean justifying in your reports and other documents the continued existence of your unit. This may have to be done in language so erudite and in sentences so complicated that the basic idea seems terribly appropriate and relevant (a dandy word) while at the same time too vague to be uncovered. And remember that any suggestion worth its salt is measured by how many viables, operationalizes, maximizes, minimizes, interfaces, scenarios, feedbacks and bottom lines you use. Edwin Newman to the contrary notwithstanding, jargon is the *lingua franca* of the bureaucrat.

Back to the basics: The only player as far as you are concerned is your boss. Keep in mind that competence is no substitute for loyalty. Observe him. Study his dress. If he is conservative, you be conservative. If he leans toward the casual, then you, too, can be casual.

Find out what his pet ideas, theories and even hobbies are, so you will never get caught off base by disagreeing with him publicly. Of course, if you

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do any thinking at all (and I kno
you), this may happen, but there
a way out. If you have the unhapp
experience of coming down on th
wrong side of an issue and he is
forced to correct you openly, you
have two alternatives. You can
say, "My, that is an interesting
way to look at the problem. I nev
looked at it that way." Or, better
yet, "What a creative approach!"
This does two things: It gets you
off the hook, and it praises the bo

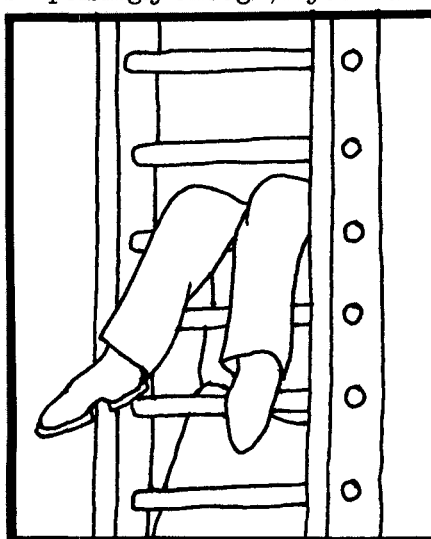
You have a personality image
game. Humor, enthusiasm and ze
remarks or jokes leading to laugh
peers will quickly equate enthusi
to get things done which, obvious

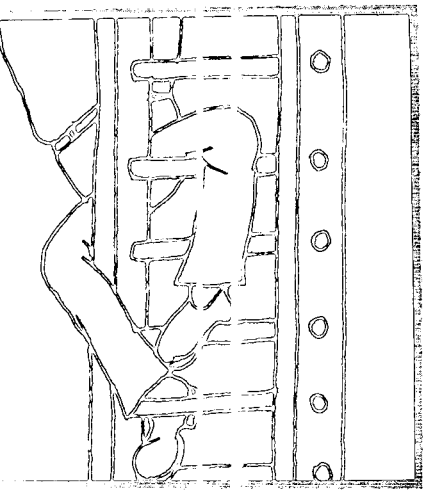
Early in your career, get acqu
policies of the organization, the r
Quoting the regulations from tim
more interested in the form than
retirement and health plans alwa
lunch or in the car pool. Talking
going on in the world, or mentio
only lead to your eating and ridin

Since most of your non-work
a series of strategies to handle th
gatherings. Foremost, always con
If it is faintly appropriate, pass o
casual statement, "I've given this
use of the word "serious") and ha
self-effacement here) that we mig
along." It will be a source of cont
easy it is to set the tone of a meet

Another useful meeting ploy
things are moving along a bit, "N
and would just like to know what
we hope to accomplish." Almost i
on this one because most assured
wondering why they are at the m
however: This one is never used
subordinates.

A third useful tactic is the us
Surprisingly enough, if you make





cross early in the bureaucratic
t. Superiors often feel any light
nt be aimed at them. And your
zeal with fanaticism and a desire
t what bueaucracies are all about.
with the regulations and written
nt system, and the health plan.
e gives evidence that you are
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safe topics of conversation at
discussing anything significant
latest book you have read will

e place in meetings, you will need
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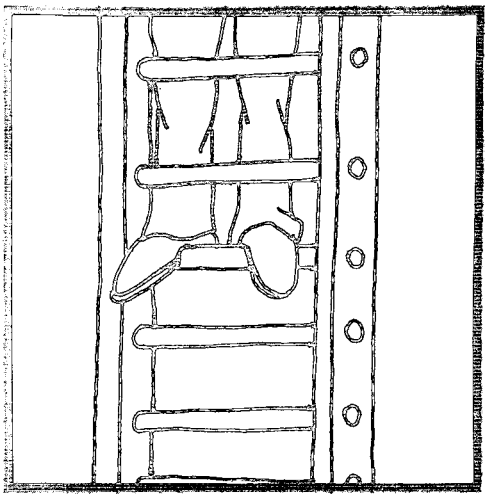
neeting with something written.
s of your outline with a rather
some serious thought (note the
l down a few notes (a little
to discuss before we move
urprise to you to find out how
oming only slightly prepared.
nounce quite seriously after
y be a bit obtuse, but I am busy
ects of this meeting are and what
ly you will see nods of agreement
st half the people there are
t all. A word of caution here,
iors, only on peers and

words "basic" and "fundamental."
lateral decision that something is
fundamental issue or a basic
uestion, most other members of
he group will not have given it
nough thought to challenge you,
nd, again, you will have set the
one.

From time to time a colleague
ay devise a new program or have
ome ideas on improving the
rganization, and these may have
erit. If it is in your self-interest
o shoot them down, under no
ircumstances deal with the ideas
ubstantively. Create a straw man



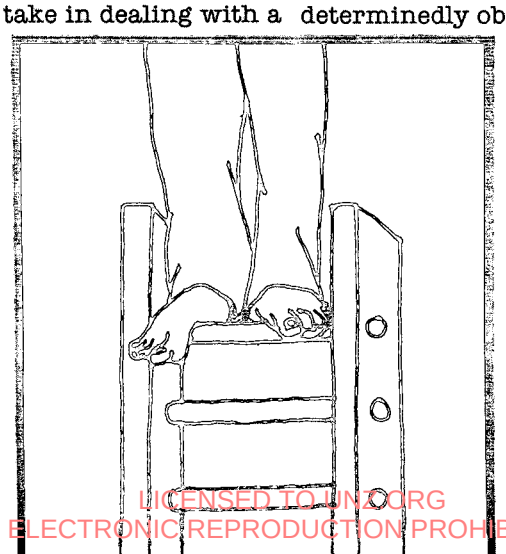
and shoot the straw man down. This will confuse people by, in effect, changing the subject and will prevent your adversary from using the data he has gathered to contest your assault.

To be serious for a moment, Andy, a key element to your degree of success will be your relations with your secretary. It should be clear that, as a result of years of insensitivity and oppression, there will be women in your organization serving as secretaries who could easily handle your job or that of your boss. It is essential to treat these women with respect, as intelligent human beings and colleagues — not as servants. Never send them for coffee or request any personal favors, such as relaying a personal message, getting theater tickets or picking up shirts at the laundry. On the other side of the issue, when going for coffee yourself, it is perfectly appropriate to ask your secretary if you could bring her a cup.

Attention to helping your secretary get promotions and educational opportunities will go a long way toward forming a good relationship. This provides a rare occasion for doing two things: It enables you to help someone else, which even in a bureaucracy is a gratifying experience. At the same time it helps you, because you must remember — as with any long-oppressed minority group — secretaries have ways to fix those who demean them. More than one bureaucratic type has been sabotaged by an irate secretary who answers the phone with the simple announcement made in a rather disgusted, hopeless tone, "I don't know where he is." At about three o'clock she can use one of these: "He's not back from lunch yet," which, of course, conjures up in the minds of everyone a long, martini-filled midday break, or, the ultimate (and this can be used anytime after 8:15), "I believe he's left for the day."

A fine touch is the use of the attaché case. Obviously, one never goes home without one, using cases of varying sizes to indicate that some nights you have a tremendous amount of work to do and on other nights just a few letters to go over. Of course, it matters not what is actually in the case — magazines, lunch, newspaper, tennis shoes.

Now, in the unlikely event you are trapped into dealing with the client system — that is, the group that your organization was originally created for — remember that your job is not to help them solve their problems. Those comprising the client system do not sign your evaluations or recommend your promotion, and, in fact, if they write complimentary letters, you will be viewed with suspicion and distaste. The only tack to take in dealing with a determinedly obstreperous individual with whom you may come in contact is evasion, vagueness and obfuscation.



Well, Andy, that's just the beginning of the game. You catch on quickly, and I have no doubt you will have added some strategies of your own before very long. Good luck in your new career, and here's to success in your bureautactics.

Your old friend,
Beverly

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Are the voters forcing judges to act like politicians?

By Kit and Preble Stolz

Four members of the California Supreme Court — Chief Justice Rose Bird, and Associate Justices Wiley Manuel, Frank Newman and Frank Richardson — will be on the statewide ballot this November. As to each the voters will be asked a simple question: "Shall Justice X be elected to the office for the term prescribed by law? Yes _____ No _____." In political science theory, each judge will be running against his or her own record. In fact they will be running as a slate, and they will be running on the records of Governor Jerry Brown and Chief Justice Earl Warren and as proponents of some of the U.S. Supreme Court's most controversial decisions on such things as the death penalty and abortions. Depending on how and when the California Supreme Court decides the Proposition 13 case, they may also be running against Howard Jarvis.

That is a formidable array of political liabilities. A lot of people are wondering (although often not for attribution) whether the judges may not be "in trouble." If one is defeated or even wins narrowly, it will be a first in California history, with very troublesome implications for the concept of an independent judiciary.

The fair-housing fight

Until quite recently the idea that an appellate court judge might be defeated would have been regarded as politically naive. Before 1966 the judges both of the Supreme Court and the courts of appeal were winning by margins well in excess of 85 percent. That experience changed abruptly in 1966, the year the California Supreme Court invalidated Proposition 14, the so-called fair housing initiative. The court's decision in early May of that year stimulated a campaign against four of five members of the court on the ballot that November. Justice Marshall McComb, who dissented in the Proposition 14 case, was carefully left out of the "defeat of the justices" campaign.

The campaign was concentrated in the southern end of the state and consisted largely of billboards. It provoked editorials from the metropolitan papers in support of the judges. All of the judges won, but not by over 85 percent. Justice Paul Peek, who had run and won in 1964 with an 88 percent vote, was low man in 1966 with only a 62 percent majority. Justice McComb won by 79 percent, well below the normal "yes" vote for a judge.

Since 1966 there have been no campaigns for or against any appellate court judge, but there has not been a return to winning by more than 85 percent. In 1970 and 1974 Supreme Court judges all won but with only a 75 percent margin. It would be easy but inaccurate to attribute this 10-point loss to a fringe right-wing vote. In 1974 Justice William Clark Jr., a Ronald Reagan appointee with impeccable conservative credentials, won by nearly the same margin as Stanley Mosk and Mathew Tobriner, both certifiable liberals, and Chief Justice Donald R. Wright, an apostate Reagan appointee. More conclusive are the results of elections for judges on the courts of appeal. Those judges also used to win by more than 85 percent but in 1966 the winning percentages fell to between 74 and 80 percent. Since then they have been winning by about 75 percent. Court of appeal judges have very low visibility; their names rarely appear in the newspapers, and for the most part their decisions are technical and of little public interest. Very few "no" voters can be voting against these people on ideological grounds.

To put it simply, one out of four persons who bothered to vote on an appellate court judge in 1970 and 1974 voted "no," in most cases without regard for any particular judge's performance and without the influence of any campaign. Why?

The negative factors

There are at least five possible factors contributing to this phenomenon:

- ***Political decisions*** — Some suggest that Chief Justice Bird and her colleagues are reaping the harvest of past decisions that pushed appellate courts into public awareness because the results were deeply unpopular among some segments of society. The list has gotten pretty long since Earl Warren's time: *Brown v. Board of Education*, one man-one vote, the criminal procedures cases, school prayers, the death penalty, abortions, the Nixon tapes case, and, most recently, *Bakke*. Certainly it would be an unusual year in which at least one Supreme Court decision failed to become front-page news; *(Bakke*, for example, made the covers of both *Time* and *Newsweek)*. It is hard to escape the sense — accurate or not — that what judges do today seems increasingly the product of the judge's personal views of sound public policy, rather than anything inexorably dictated by the law in the books.

These decisions were all, of course, by the U.S. Supreme Court. But some of them, notably in the criminal procedure area, were anticipated by decisions of the California Supreme Court. And most voters probably do not make subtle distinctions between state and federal courts. Neither do they understand very clearly that the California court is required to follow any decision of the U.S. Supreme Court that declares a constitutionally required minimum standard of fair criminal procedures. Furthmore, for anyone who

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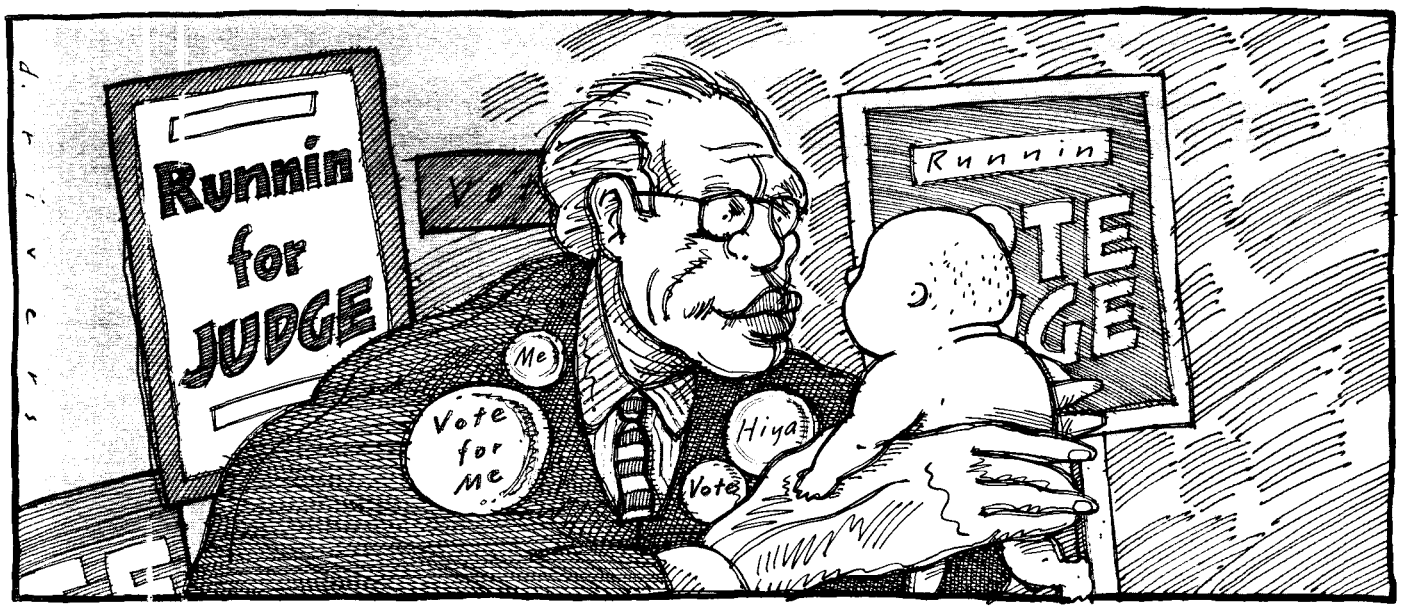

ILLUSTRATION BY DONNA RIVERS

cares enough to be accurate about the matter, it is true that the California court under Chief Justice Bird has continued to read provisions in the California constitution as restricting law enforcement in ways consistent with decisions of the Warren court but contrary to recent "retreats" of the Burger court.

• ***Political labels*** — The media reinforce the public image of judges as politicians. There is constant talk of the "Nixon" court, of Brown appointees, of liberal versus conservative judges. Talking that way makes judges seem scarcely distinguishable from Republicans and Democrats. It is rarely emphasized that an individual judge's behavior is sometimes inconsistent with the political bias of the person who appointed him, and that few judges steadily perform as their labels suggest they ought to.

• ***Political issues*** — Judges and courts are being asked to resolve some new sorts of questions, different in degree if not in kind from those of the past. Contested wills and accident cases are one thing. But what are judges doing stopping dams, running schools and prisons, giving public money to welfare mothers? In many instances there are good and sufficient reasons, including clear legislative direction or perhaps appalling legislative inaction as with reapportionments. But like messengers of bad news, the bench sometimes gets blamed for executing the policies of someone else.

• ***Anti-incumbent sentiment*** — California is quite obviously in an anti-establishment cycle of its political life. People are mad at government and disposed to think its servants are self-seeking and unworthy. Both Governor Brown and President Carter built their political images to appeal to that sentiment, and the passage of Proposition 13 shows the wisdom of their strategy. For judges that sentiment can be translated into "throw the rascals out."

• ***Jerry Brown*** — Some observers attribute voter hostility toward the bench to Governor Brown's attack on the perquisites of judges, especially their pay, and his reluctance to create new judgeships. Certainly the Governor cannot be blamed for what happened in 1966 in the fair-housing campaign. But he may more fairly be faulted for failing to speak out in defense of the independence of the judiciary. And he may have contributed to a general climate of hostility with his questioning whether judges work hard or their work is so important as to justify their extraordinary pay. But the judges themselves have helped by providing some very easy targets for the Governor. As of the moment judges (and legislators) are the only state employees getting a cost-of-living pay increase this year, and judges were among the few to escape the Governor's flat $70-per-month pay increase in 1976. In both instances the California Judges' Association fought Brown's attempt to treat judges like all other state employees, battling with all the restraint and dignity of a corrupt labor union.

All this plays out in Milpitas like this: Judges act like politicians; they are talked about as if they were politicians; some of the judges' names are on the ballot like politicians; why shouldn't voters express their feelings about judges the way they do about politicians? If voters do not like what those people in black robes have been doing, or do not like the politicians who appointed them, they will vote against the judges — not necessarily for what any one of them did or did not do, but because the voters do not like the sytem in general.

Fearing the consequences

Treating judges as politicians frightens lawyers and good government types. California's judges at all levels are among the best in the country. No small part of that is because they have had no fear of retribution at the polls. Although any trial judge up for election can be challenged, only a very few have been and hardly any of those challenged were defeated. This may be changing. In the June primary three superior court judges appointed by Brown were defeated (two in Orange, one in Santa Clara) for no obvious reason other than that they had been appointed by Brown and were incumbents. Statistically that is still a very small number. Ten other Brown appointees were challenged and were elected; one was forced into a run-off in November. About 75 other Brown appointees to the superior court could have been but were not challenged. Nonetheless, this June was the first time voters dumped a superior court judge for reasons wholly extraneous to his judicial performance.

A few defeats are enough to scare many judges. What lawyers are worried about is that judges may begin molding their decisions to meet public sentiment, especially in a critical area like sentencing. Judges also may begin trying to get their names in the papers in a favorable light. More important, some very well-qualified people may refuse judicial appointments if they see re-election worries and campaign financing problems as part of the job.

These are real risks. California used to have political judges, and many states still do. The result tends to be a bench dominated by political hacks, especially if political selection and tenure are combined with bad pay, as they often are. In 1934 California adopted by initiative the present system of gubernatorial appointment and voter ratification. It has worked very well to protect the judges. In 1968 Governor Reagan and the State Bar tried to go a step further by sponsoring the so-called Merit Plan of judicial

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selection which would, in essence, have limited the Governor's appointment power by making him choose from a panel of candidates selected by a group of judges, bar representatives and public members. The Legislature balked at that, fearing undue influence of bar association politics. Since then there have been a few profoundly troublesome instances in which a trial judge was successfully challenged because of an unpopular decision. The best known is the case of Superior Court Judge Alfred Gitelson of Los Angeles, who was defeated in 1970 because of an order he issued in desegregating Los Angeles Schools.

In part because of the Gitelson defeat, a committee was appointed by Governor Brown, the State Bar and the California Judges Association to establish ethical guidelines for judicial campaigns. The committee's recommendations were rejected by the Judges Association, apparently because the sanctions seemed uneven: Judges were subject to discipline according to the canons of judicial ethics, but their opponents had only to worry about conforming to ethics of the bar.

What will happen in November? A lot could depend on how the court disposes of the suit challenging the constitutionality of Proposition 13. That case was argued before the court last month. For the first time in his career as attorney general, Evelle Younger himself made the oral argument in support of 13. If the court should invalidate Proposition 13 entirely, it will enrage many voters, perhaps more than enough to defeat the judges, or at least those who decided that way. Assuming that one or more of the Brown appointees votes to invalidate 13, there might even be a spill-over effect sufficient to damage Brown's hopes for re-election.

There are less drastic possibilities. The court could invalidate a portion of Proposition 13, notably the rollback to 1975 assessed values and/or the provision making property acquired after 1975 take its full appraised value as of the time of sale. Those provisions are the ones which trigger the federal equal-protection argument. Presumably their excision from the initiative would finesse that legal problem. Public reaction to that kind of decision is much less predictable. It might even depend on the persuasiveness of the court's opinion.

The court could choose to do nothing until after November. But by accepting the case and scheduling it for early argument — far in advance of when it would normally appear on the docket — the court indicated that it understood the powerful reasons for a prompt decision. The Legislature responded to Proposition 13 with heroic measures premised on the assumption that the measure was valid. If that is wrong, things must be undone fast, or else total chaos — if it has not already arrived — will descend. If the measure is valid in whole or in part, the sooner that is known the better. As long as the issue is pending, some matters, notably property tax assessments for this year, are in doubt.

The anti-Bird alliance

Another factor that could be important is the size and nature of the campaign against the judges. Although the campaign has not started yet, several groups have said they will seek to defeat Chief Justice Bird. (Unlike 1966, this effort will concentrate on a single judge. Joe Spangler of the

The meaning of 'great bodily injury'

One recent decision of the state Supreme Court under Chief Justice Rose Bird, *People v. Caudillo*, has provoked discussion in the media. The background: The defendant forced a young woman at knifepoint into her apartment where he required her to engage in a two-hour sex orgy, including rape, sodomy and oral copulation. He was convicted of those crimes, plus burglary, kidnapping and robbery. Under California law, he could be punished only once for this course of criminal conduct. The trial judge chose burglary as the sentencing vehicle with an additional penalty for "great bodily injury" (GBI), undoubtedly because burglary carried the harshest sentence.

The principal issue before the high court was whether the enhancement for GBI was proper or, as the question might be phrased, whether rape constitutes "great bodily injury." As a matter of semantics, few would argue that rape was not "great bodily injury." But the difficulty was that those are words with special legal meaning. Presumably they meant the same thing in this case as they meant when the Legislature provided an enhancement penalty for the crime of rape if the victim suffered GBI. If all rapes necessarily involve GBI, the enhancement statute with respect to rape makes no sense. Therefore, the majority concluded that rape alone does not constitute "great bodily injury" as that phrase is used in the California statutes.

There were two ways out of that conclusion. One was to say that GBI means a different thing when applied to rape than when used with burglary. No member of the court chose to follow that line. The other was to find things other than rape which the defendant did to the victim sufficient to constitute GBI. Justices Frank Richardson and William Clark chose that route in dissent.

The majority thought that superficial neck wounds and vomiting were too insubstantial to constitute GBI. Chief Justice Bird signed the majority opinion written by Court of Appeals Justice Bernard Jefferson but added a few words expressing disgust with the crime and a hope that the Legislature would review the question in light of the *Caudillo* case. For this, Secretary of State March Fong Eu accused Bird of being "soft on rape." *P.S.*

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Committee on Law and Order and Russo Watts Associates, a campaign consulting firm headed by people left over from the Maddy campaign, are organizing a "No on Bird" drive. (See "Campaign '78," page 283.) They have gotten some money from state Senator H. L. Richardson's direct-mail operation. Richardson has talked about a one million dollar fund for "No on Bird." But since he will be tapping the same financial sources that will be asked to support the campaigns for Propositions 6 and 7 (the homosexual and the death penalty measures), that figure may be unrealistic. Mary Nimmo of Russo Watts expects substantial support in the anti-Bird campaign from agricultural interests. Agriculture's hostility to Bird dates back to her role in putting together the Agricultural Labor Relations Act in 1975, her support of the farm-labor Proposition 14 in 1976 and her performance as Brown's secretary for agriculture and services.

Direct-mail solicitation, which combines fund-raising with propaganda, is an expensive technique. Although precise figures are hard to come by, Richardson's fund-raising seems to cost about half of what it collects. The rest could be spent on newspaper ads, billboards and television and radio spots. As yet, what the "No on Bird" people are going to say is "still being researched." They plan the campaign to start about Labor Day, but until the Supreme Court decides the Proposition 13 case, they do not have an obvious issue — and they may not have one even afterwards. Bird is young (41) and a woman; neither seems likely to catch the interest of a significant number of voters. Three women appointees of Brown to the superior court in Los Angeles were challenged in the primary, and all won handily.

There are people in the judicial system unhappy with what the Chief Justice has done. Although some have spoken to the press, none has been willing to do so for attribution, and as a result their complaints sometimes appear to be unsubstantial whining. Some of the things Bird has done can be described in different ways, like the glass that is both half full and half empty. For example, she has greatly restricted the use of retired appellate court judges to fill temporary vacancies in the appellate courts and has used instead superior and municipal court judges. That can be explained, as Bird does, as a desirable way to break up the hierarchy of courts and to give trial judges the experience of seeing the process from the appellate court's point of view. But the same thing could also be described by those who oppose Bird as a power grab which gives the Chief Justice a tool with which to reward friends and punish enemies.

The endorsement contest

The "No on Bird" people hope they can obtain endorsements from lawyers, judges and especially district attorneys. Depending on the prestige of the people who are willing to sign on, that could add respectability to their campaign. Judges pose a problem. The Code of Judicial Conduct adopted by the Conference of California Judges (now the California Judges Association) prohibits judges from publicly endorsing candidates for public office. Under this standard judges cannot endorse Bird; they probably are also prohibited from publicly opposing her election, although the rule does not cover that explicitly. The proposed guidelines for judicial campaigns could have gone further by telling candidates for judicial office to "discourage and avoid endorsements or support by" judges, other elected officials (that would include district attorneys and governors) or partisan political organizations. Although those guidelines were rejected by the California Judges Association, they still have some rhetorical force as a guide to how judges ought to behave in an election campaign. Notwithstanding the guidelines, Brown endorsed some trial judges in the primary; presumably he will be heard to support Bird during the campaign. Younger could use the guidelines as a shield to avoid taking any position on Bird. He may choose to say that it would be inappropriate for him to endorse or oppose any of the judges up for election.

If, uninstructed by any campaign, 25 percent of the voters cast negative ballots on a judge's election, what effect will a major campaign have? Interest generated probably will reduce the percentage of that ground-base "no" vote, since more people will take the trouble to mark their ballot for the judges. A certain number will vote "yes" because they believe in a non-political judiciary. But most of the rest will probably treat the Chief Justice and her associates as if they were surrogates for Brown, even though Justice Richardson was appointed by Governor Reagan. That means that if Brown wins big, the judges win. If the Governor loses, or if it is close, some or all of the judges might well go down.

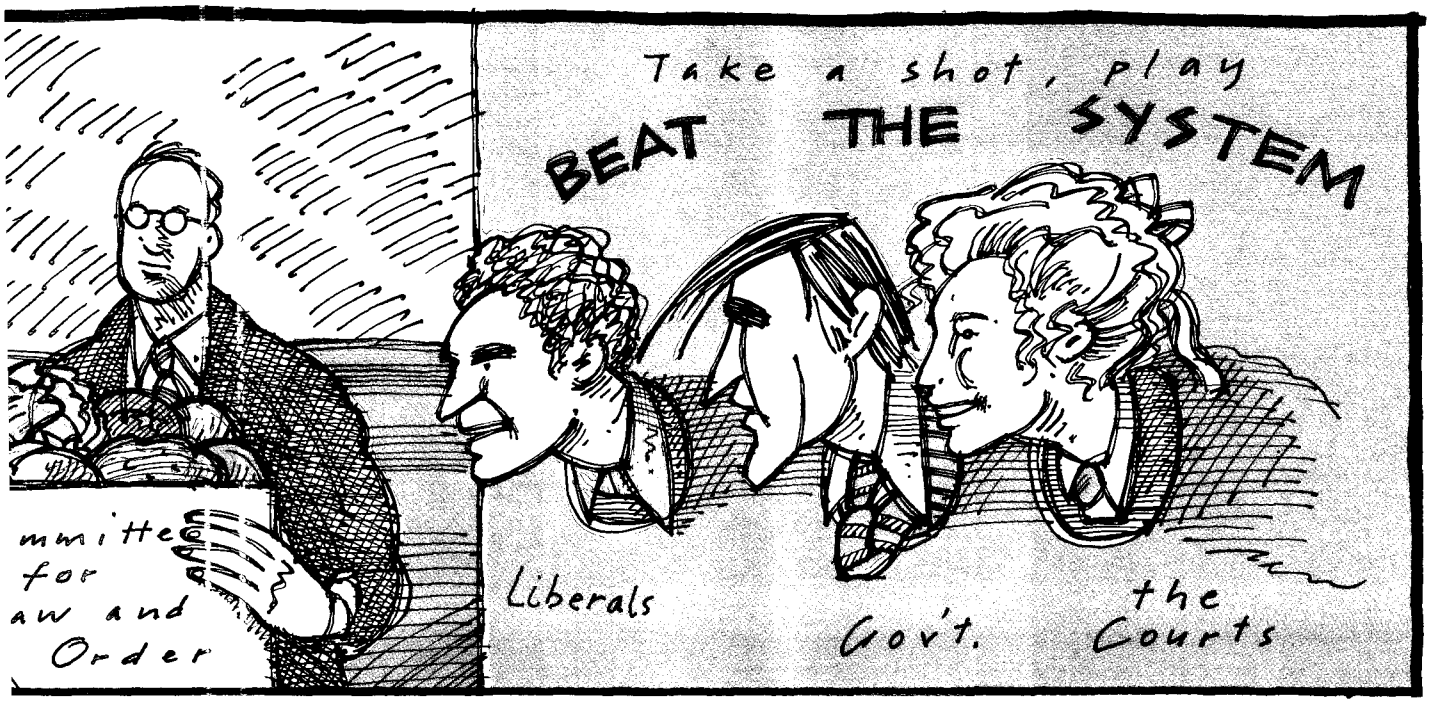

ILLUSTRATION BY DONNA RIVERS

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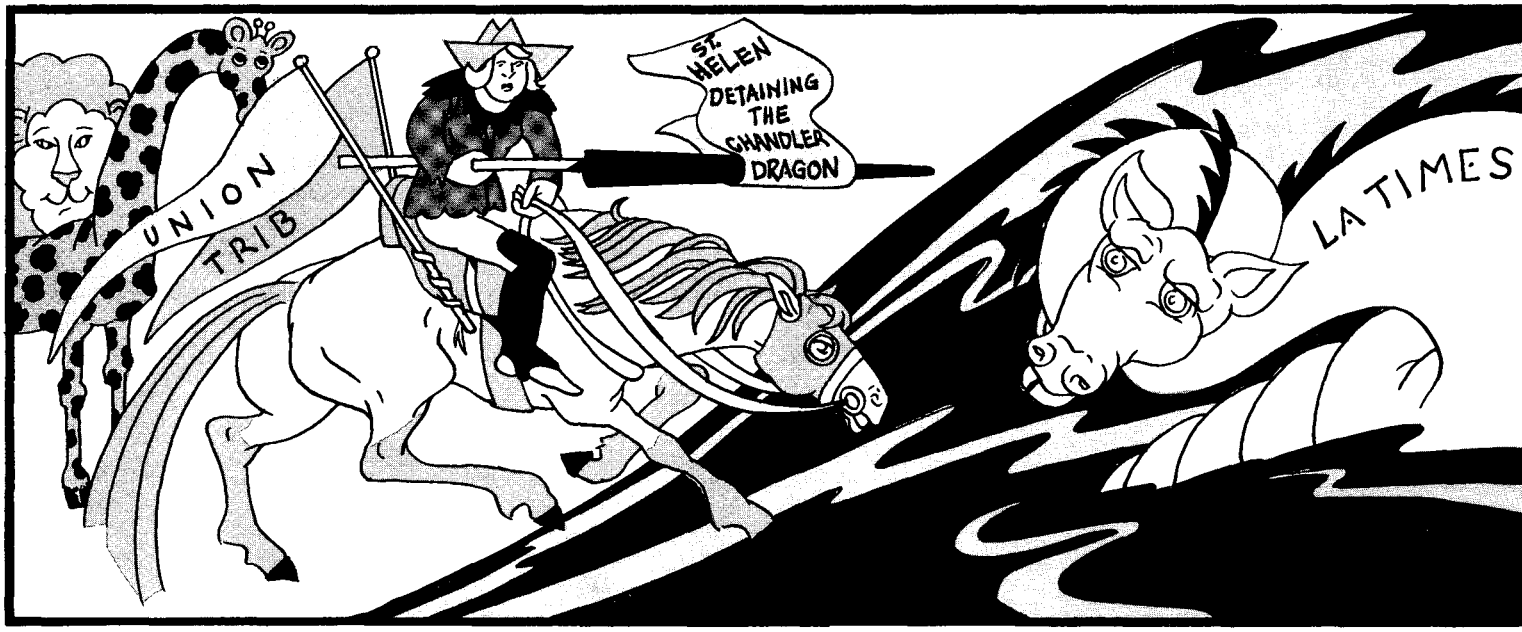
Chandler versus Copley for the readers of San Diego



By Larry Remer

Originally it was billed as a classic David-versus-Goliath battle. The giant *Los Angeles Times* was extending its tentacles into yet another Southern California community by introducing a full-fledged San Diego county edition early this past spring. The Copley Press' two local dailies, the *San Diego Union* and the *Evening Tribune,* were expected to yield some measure of the San Diego market and their local political clout to the superior financial and journalistic resources of the *Times*. After all, that's what happened to the *Santa Ana Register* after the *Times* invaded Orange County with an edition in 1968.

But two months after the *Times*' entry into San Diego, the *Union-Tribune* is holding its own. Some observers say the *Times* is being forced to play little David in San Diego to the well-entrenched Copley Goliath.

From the *Times*' perspective, the move to San Diego was predestined by publisher Otis Chandler's vision of the *Times* as the paper of record for a "super-city megalopolis" stretching from the Mexican border to San Luis Obispo. The fourth generation scion of the legendary newspaper dynasty, Chandler told *Time* magazine back in 1960, "By the time that super city is in existence, there will — I suspect — be one metropolitian morning and one metropolitan evening paper to serve it. There will, of course, be area publications serving everything from new subdivisions to cities like Santa Barbara or San Diego. But there is only going to be one dominant central newspaper, and that's going to be the *Los Angeles Times.*"

Eighteen years later, it seems that Chandler's prediction has come to pass. With a circulation of 1,034,329 daily and 1,332,875 Sunday, the *Times* is clearly the dominant newspaper in Southern California. In an era when electronic media have become the primary sources of information for a majority of Californians, the *Times* still manages to garner growing readership, influence and profits.

The secret to the *Times*' 'success appears to be Chandler's commitment to quality. Many of the *Times* readers are educated and affluent, and the paper caters to their interests with a staff that produces some of the best national and international reporting in the country. Moreover, the *Times* knows that Los Angeles is the cultural center of the West and it covers entertainment and the arts in depth.

Launching the raid

In the electronic age, there is very little difference between the suburbs of Encino and Anaheim, and the *Times* knows it. By creating suburban sections, zoned for news and advertising, it meets the needs of its readers to know about their local school boards or water districts. Thus the *Times*

Larry Remer, editor of the San Diego Newsline, *wrote "San Diego's queen bee" in the October 1977* Journal.

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has been able to keep expanding its circulation in the growing, affluent suburbs, highly desirable areas for advertisers.

Even so, the *Times*' announcement late last fall that a San Diego edition would be christened in early April caught most observers by surprise. Although the *Times* has already gained a respectable following in California's second largest city (1977 San Diego circulation: 25,000 copies daily, 34,000 Sunday), the dominant Copley monopoly (*San Diego Union*, 190,000 daily and 312,000 Sunday; and *Evening Tribune*, 127,000 daily) seemed well enough entrenched to ward off a raid on its circulation and power base.

Their news control has made the Copleys the major political force in town for more than a generation. James Copley, who headed the Copley Press until his death in 1973, was an arch-conservative and staunch anti-Communist. Not only did the papers play to his political beliefs, they also played to the political advantage of his friends. In 1960, for example, John Kennedy appeared in San Diego for a political rally which, at that time, was the largest political rally in San Diego history. But the next day Copley's *Union* bannered a Richard Nixon appearance in Omaha, Nebraska. Throughout the '60s, the Copley papers gave short shrift to the anti-Vietnam war movement. They virtually ignored the shenanigans of financier C. Arnholt Smith, Nixon's top fundraiser in 1968, who was ultimately tried and convicted of double-dealing and fraud in the failure of his billion-dollar U.S. National Bank. And they consistently protected conservative Republicans like Congressman Bob Wilson.

Dealing with sacred cows

The succession of James Copley's widow, Helen, to the leadership of the Copley Press has moderated the paper somewhat. Helen, who counts several Democrats among her friends, has told her reporters that the sacred cows of her husband are now fair game, and the papers have become noticeably more even-handed. Still not fair game for Copley reporters, however, are Helen Copley's own sacred cows, which seem to include the Chamber of Commence, Mayor Pete Wilson, and San Diego businessman Dick Silberman, currently serving as Jerry Brown's chief of staff.

Some San Diegans have been trying for years to lure the *Times* into opening a local bureau. In fact, in 1972 then-Deputy Mayor Floyd Morrow, a liberal Democrat, led a delegation of prominent San Diegans in an appeal to *Times* publisher Chandler to begin a San Diego edition. And when the *Times* finally announced it would come to San Diego this year, liberal spirits rose in the hope that some serious competition would arrive to challenge the domination of the Copleys.

But if hopes were raised that an incipient newspaper war in San Diego would lead to an editorial and political free-for-all there, they were soon dashed. The *Times*' move south was precipitated by economic, not editorial, considerations. Last year, the Times-Mirror Company, a conglomerate of newspapers, TV stations, book and magazine publishers and lumber holdings, had its most profitable year in history. Revenues in 1977 reached $1.4 billion and profits topped $100 million.

There were two major reasons for the move into San Diego, according to Robert Gottlieb, co-author of *Thinking Big*, a recently published, unauthorized history of the *Times*. First, the company needed to reinvest some of its profits in expansion. Secondly, circulation had dropped momentarily below the magic million mark last fall, for the first time in several years.

"I also wouldn't underestimate the impact of the revitalization of the *Herald-Examiner*," Gottlieb says. For years the *Herald-Ex* has been Los Angeles' faltering second paper, with a circulation barely one-third that of the *Times*. But last fall the Hearst-owned paper announced that it was beefing up its staff and revamping its format in a bid for the inner-city readership abandoned by the *Times*.

Gottlieb believes that an "editorial malaise" had recently gripped the *Times*, and that the announced expansion reinvigorated the reporting staff with a sense of purpose. "The editorial product is tied very closely to the business strategy," Gottlieb says. "To be the kind of paper they hope to be, they have to strive for editorial excellence."

But *Times* leaders were stung by criticism that they had abandoned coverage of the poor of Los Angeles in an effort to cater to affluent suburbanites. They announced, along with plans for expansion to San Diego, that they were adding four reporters to cover the city better, creating what some have called an LA city bureau. As part of the general expansion, the *Times* also added full-time reporters in bureaus in San Bernardino-Riverside, Santa Barbara and Denver.

Changes for Copley

With a commitment to paying top dollar for experienced journalists, the *Times*' San Diego bureau got applications from all over the country — including several dozen from the Copley ranks. But *Times* metropolitan editor Mark Murphy's description of the Copley editorial product as "mediocre or less" hasn't held true, and the *Times* is having a more difficult time than expected making its editorial mark on San Diego.

In the first place, the Copley papers have been slowly but steadily improving their coverage and infusing their staffs with new blood. The impetus for this came from Helen Copley, who brought in a new editor, Jerry Warren, and ordered a full commitment to journalistic improvement.

At the *Union*, the results are obvious: a refurbished Life and Living section; abandonment of an antiquated picture page on A-3; more analytical stories and stepped-up coverage of state issues; institution of a book review section, and wider use of the *New York Times* news service.

Compared to the Times-Mirror, the Copley balance sheet is modest in size: revenues last year of more than $100 million, net profits in excess of $14 million. Nevertheless, the Copleys have some resources with which to counter the *Times*' invasion. These they have used to beef up the *Union* reporting staff and to launch a media campaign counteracting the *Times* blitz that accompanied its move to San Diego. While the *Times* was claiming, "Now San Diego has everything — including its own edition of the *LA Times*," the *Union-Tribune* declared on billboards, newspaper ads and TV spots: "Nobody knows San Diego like we do."

Sixty days after the *Times* appeared in San Diego, *Union* Associate Editor Peter Kaye offered this view: "They haven't bothered us, really. The *Times* is an excellent newspaper. We expected them to be tough and they've given us a good run for our money on the beats. They're good bread-and-butter journalists . . . But both (Copley) papers' (ad) lineages are up. And, over last year, circulation is up, too."

Impossible expectations

For the *Times*' San Diego edition to have lived up to all early expectations would have been impossible. With 28 editorial personnel (compared to more than 300 at the *Union-Tribune*), about all editor Dale Fetherling can do is cover the beats, keep his staff on top of breaking stories, and crank out some good feature coverage for the Sunday paper.

But the *Times* has made every effort to reach out to its newfound San Diego readers. Its main sections come to San Diego with local weather and news briefs inserted. Prominent play is given the city's baseball team, the Padres. On Sundays there are San Diego letters to the editor and on

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Fridays a complete calendar of local arts and entertainment appears.

At first, the *Times* made some minor, new-boy-in-town errors: labeling the University of San Diego (USD) as SDU, which could have meant San Diego State University, another school; and confusing headlines about city council actions which ran in the San Diego section but referred to stories about the LA City Council.

Such errors could be quickly forgiven, but San Diegans who had hoped for a more serious editorial challenge to the Copley papers have been disappointed. The *Times*' bread-and-butter coverage has been more than adequate, but its features, while well-written, have come across as narrow and superficial. With the notable exception of a pair of Sunday articles on the battle between Democratic party leader M. Larry Lawrence, owner of the historic Hotel del Coronado, and the Coronado City Council, there have been virtually no serious efforts to take the long view of a local problem, or to do any serious investigative work.

Comparisons of *Times* coverage with Copley's shows few deficiencies on either side in coverage of breaking news. When nearly 1,200 people marched through downtown San Diego on the birthday of Malcolm X to demand full employment, the *Times* led its San Diego section with a two-inch head and pictures. The *Union* played the same story in its local section, on the bottom of an inside page. But, three weeks later, when several hundred mothers held a rally to protest pending cuts in child care programs, the *Union* found room for pictures and a big story on its section page, while the *Times* barely made room for a few inches on the event.

If breaking coverage tends to even out, follow-up doesn't. When a white police officer "accidentally" shot and killed a Black burglary suspect (he said the gun he was hitting the suspect over the head with went off), both the *Times* and the Copley papers gave the story big play. But then the *Times* dropped it, while both the *Union* and the *Tribune* went out to the community to cover the reaction and — in a move nearly unprecedented for the Copley papers — gave voice to minority criticisms of the police. Observers say such follow-up never would have happened if the *Times* had not come to San Diego. Yet with a much smaller staff, the *Times* can't take the time to stay with the day-after stories.

There are other reasons that the *Times* probably can't live up to the expectations of its audience. Unlike Orange County, San Diego has its own identity, its own politics and its own ambience. The *Times* can never be a full-service, community newspaper 120 miles from its home base, and editor Fetherling knows this. "We're never going to be a San Diego newspaper," he admits. "We'll always be an LA paper. We're not going to be Number 1 in San Diego, but we think we can be a damn good Number 2."

Paradox of power

Paradoxically, the *Times*' impact on San Diego may well be to buttress Copley's power. Competition may help to improve Copley's news coverage and balance, but with daily circulation of more than 300,000 Copley will maintain its ability to set the public agenda. If the *Union-Tribune* wants to dig in on an issue, or subtly push for certain public policies, it still can — and very effectively.

So it was last year, during a race for school board, when the Copley papers singled out incumbent Julie Fisher, a liberal, for severe criticism for siding with the teachers' union in a strike the previous year. The local Republican establishment had targeted Fisher and spent more than $35,000 in a campaign to oust her. And so slanted was the paper's coverage against Fisher that, after she lost the election, both Associate Editor Kaye and Reader Representative Al JaCoby upbraided the paper for its conduct.

Another public official has yet to feel any heat from the *Union* or the *Tribune*: San Diego Sheriff John Duffy, who has been accused of links with organized-crime figures who own the La Costa Country Club in northern San Diego County. Although the papers did not endorse Duffy's recent bid for re-election in June (which he won handily), political leaders from both parties appealed to the *Union* to use its moral leadership to inject the organized-crime issue into the campaign early enough to insure that it got a good airing. The papers refused, and the issue barely surfaced during the race.

In another case, long-time San Diego Congressman Bob Wilson — a Republican and a Copley favorite — turned up on a list published in a *Times* Washington story listing congressional junketeers and citing Wilson for having spent more money last year on travel abroad than any of his colleagues. But the Copleys gave the story little space.

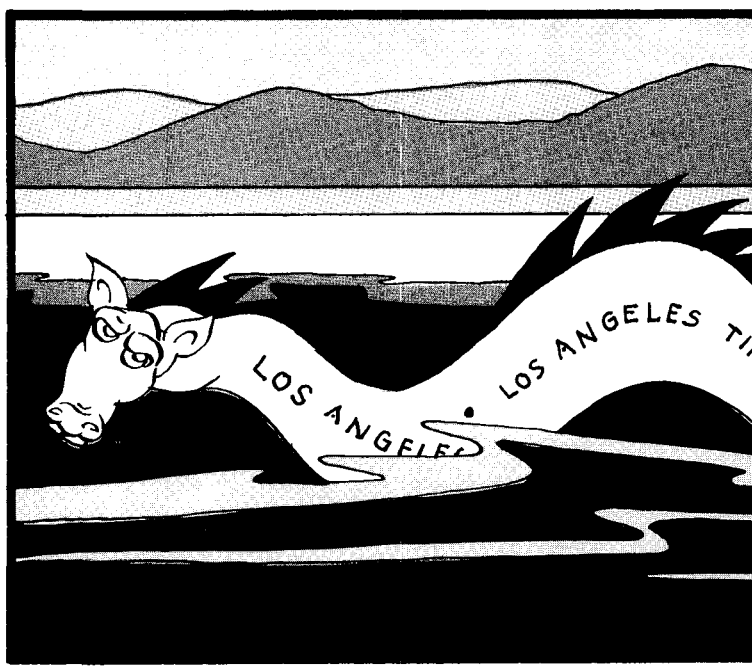
The Republican tinge

By contrast, when Chicano City Councilman Jess Haro, a liberal Democrat, admitted having failed to pay customs duties on materials he imported from Mexico as part of his business dealings before he took office, the *Union* orchestrated a campaign calling for his resignation. The *Union* stayed on the story for several days after it broke, raising the resignation issue before any public official suggested Haro think of resigning. The *Times*, on the other hand, led with the story the day that it happened and then dropped it.

Many San Diego Democrats feel that, despite some changes, the Copley papers are basically pro-Republican. They point to Editor Warren and Associate Editor Kaye — both of whom served in the campaigns of Mayor Pete Wilson and President Gerald Ford — as indications of the continued domination of pro-Republican sentiment. It was Kaye who decided the *Union* would stay on the Haro story and who pushed for the paper to call for his resignation.

In the November election, several liberal Democrats are facing tough races and two of them — Assemblyman Larry Kapiloff and Supervisor Jim Bates — have considered campaigning against the *Union* in the hopes of neutralizing the papers.

Helen Copley will assuredly play a decisive role in elec-



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tion endorsements. With Pete Wilson out of the governor's race, there is some chance that her sometime beau, Dick Silberman, can convince her to back Jerry Brown. Brown recently named her to the post-Proposition 13 Commission for Governmental Reform, and from there she could be drawn into the Brown camp. Even if she did back Brown, there's still a question whether this support would trickle down to Democrats in local races.

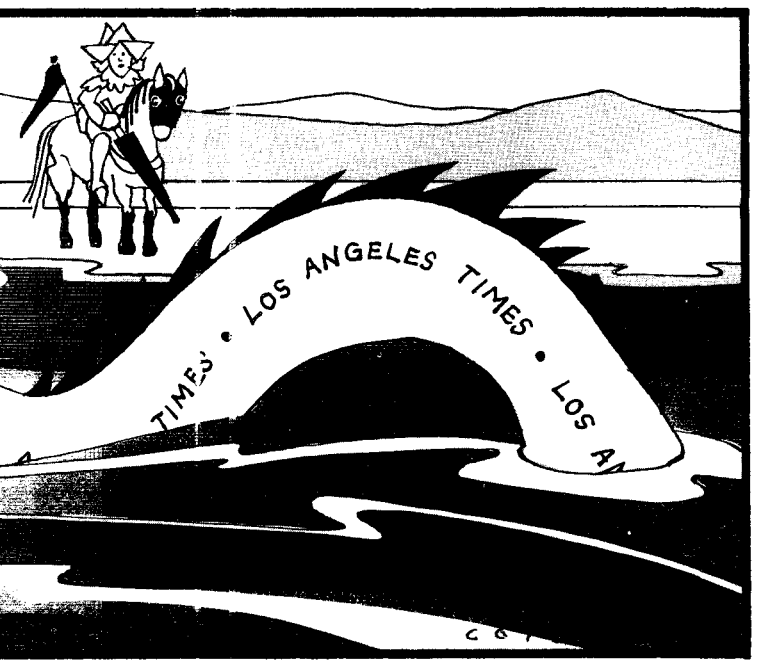
The competitive hot spot

But the *Times* foray into San Diego concerns profits, not politics. And it is inevitable that north county — San Diego's major growth area — will be the competitive hot spot. In the mid '50s north county San Diego was an agricultural area with a population of 50,000. Today the area contains the bustling cities of Escondido, Oceanside, Encinitas and Vista and a population of more than 400,000. North county is a natural for the *Times*. On the edge of the Orange County growth bulge and far enough north to be in the LA television market, it holds an abundance of upper-middle-class suburbs, with the kinds of demographics the Times-Mirror Company finds so attractive.

But north county San Diego may be a hard area to crack. The Copleys have never been very strong here either, largely because of the presence of three strong, small dailies and one strong string of weeklies. Last year the *Union* opened a north county office and began zoning a couple of pages for north county news. The *Trib* has also increased the attention paid north county.

But three of the dailies are owned by big chains, and even the mighty Times-Mirror will have trouble making inroads. In Escondido, the *Times-Advocate* (circulation 31,000) was purchased last year by the Chicago Tribune Company, publisher of the *Chicago Tribune* and the New York *Daily News*, and a holding company for a media conglomerate of TV stations and publishing ventures with resources comparable to the *Times*. The Tribune Company has just opened a Sacramento bureau, the feed of which will be shared with the *San Fernando Valley News* and *Green Sheet*, which it also owns.

The *Blade-Tribune* (circulation 21,581) in Oceanside has seen its circulation jump 150 per cent in 10 years. Owned by Howard Publications, the *Blade* has just computerized many of its operations and plans major expansions as the region grows.



The *Vista Press* (circulation 9,000) is owned by Morris Newspapers of Savannah, Georgia. And North Coast Publishers in Encinitas, the only independent owner in the north county, puts out four weeklies (combined circulation 14,600), which publisher Archie Hicks says are not for sale despite interest from several major chains.

Both the *Times* and the *Union* are hoping to skim off the cream of the north county readership. The *Times* is after readers with an eye for national and international affairs; the *Union* hopes to cash in on its thorough coverage of the San Diego region and its recently strengthened state focus. The circulation war could get heated, with several skirmishes involving the north county dailies which already have been out seeking readers through contests, games and promotions.

For the *Times* to stay in San Diego permanently, its operation will have to be profitable. Nobody has publicly indicated what constitutes break-even or how long the operation will be permitted to run in the red. Estimates of the San Diego *Times*' annual budget hover between $1.5 and $2 million.

San Diego advertising director for the *Times*, Tony Lulich, states that advertising lineage is, thus far, exceeding expectations. Lulich stated that the *Times* hopes to sell one million lines of San Diego advertising this year — double original expectations. Even so, that's only about $200,000 in revenue, a long way from break-even.

Ultimate success will depend on how high circulation can go. After 60 days, the *Times* claimed 41,000 daily and 53,000 Sunday. But to capture a market sufficiently large to attract large advertisers like shopping centers, supermarket chains and department stores, the *Times*' San Diego circulation will have to reach 75,000 or 80,000. Getting there will depend on how good a marketing job the Times-Mirror does and how long the parent company will permit the baby to wallow in red ink.

The *Times*, it seems, doesn't mind being Number 2 in San Diego — if it can also be Number 2 in Orange County, Riverside, Santa Barbara, the San Fernando Valley, Long Beach and elsewhere. All those Number 2's add up to being Number 1.

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The sudden expansion of the Washington press corps

By GIL BAILEY

Earlier this year a group of veteran correspondents from California wandered despondently out of a breakfast meeting — hard rolls, tasteless coffee and Florida orange juice — and officially disbanded the California Correspondents' Association. The *Los Angeles Times* chairman had refused reelection. The Knight-Ridder and Copley bureaus had already served as chairmen and didn't want to do it again. McClatchy Newspapers turned it down because of a lack of secretarial help. So after about six years, the association died broke, with the *Times* picking up its few minor debts.

But the disbandment certainly did not reflect any decline in California coverage of Washington. In fact, since the last *California Journal* survey four years ago, coverage has improved, at least in quantity, and probably in quality. The *San Francisco Examiner*, the *San Francisco Chronicle* and the *Sacramento Union* now have full-time reporters. The *Oakland Tribune* has some representation, and even papers like the tiny *Oroville Mercury-Register* have their own part-time correspondents.

"In the years I've been here the number of correspondents has at least doubled," says Murray Flander, Senator Alan Cranston's press secretary, whose list of correspondents shows 44 persons representing California media. Part of the increased coverage has resulted from big news corporations entering the California media scene. The Gannett organization, for example, now owns papers in San Bernardino, Salinas, Visalia, and Stockton. These papers thus get Washington coverage from Gannett's bureau.

The *Columbia Journalism Review* recently praised the Gannett, Knight-Ridder and McClatchy operations for their regional coverage. Considering that Knight-Ridder has the San Jose, Long Beach and Pasadena newspapers, and McClatchy owns the *Bee* papers in Sacramento, Fresno and Modesto, that should mean California is well served. However, a closer examination shows Knight-Ridder has only one reporter assigned to California coverage and that one reporter covers for all of Gannett's California and Nevada papers.

The praise for McClatchy, however, is well deserved. Leo Rennert and George Baker of the *Bee* Washington bureau receive high marks from their peers for depth of coverage and display. Rennert is still the one-man band among California's Washington correspondents, and Baker brings a knowledge of water problems unsurpassed by any other correspondent.

The use of 'hired guns'

The opening of Washington bureaus by the *Chronicle* and *Examiner* has broadened the coverage of these essentially parochial papers. It also may help the *Sacramento Union* in its head-to-head competition with the *Bee*. Even more significant may be the arrival of some "hired guns," small news services that offer coverage for middle-circulation dailies. For example, the *Antioch Ledger*, *Berkeley Gazette*, *Contra Costa Times*, *Livermore-Pleasanton Valley News*, *Madera Tribune*, *Merced Sun Star*, *Redding Record-Searchlight*, *Richmond Independent*, *Roseville Press-Tribune* and the Oroville paper all can claim their own Washington correspondent. He is Dave Hoffman of States News Service. Some of the papers pay him as little as $15 a week, but they do get coverage for their limited investments. For the papers he serves, Hoffman provides a new dimension of record, far different from the steady stream of press releases — usually unedited — from congressional offices. Such releases used to serve as the only Washington news for many of these papers, except for wire-service copy. Neither the Associated Press nor United Press International offers meaningful regional coverage from Washington. So it is still the

Gil Bailey covers the Washington beat for the California newspapers of the Knight-Ridder chain.

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job of the state's major newspaper operations — the Times-Mirror, Knight-Ridder, Gannett, Copley and McClatchy -- to provide both the broad-based and the parochial Washington coverage needed to inform California.

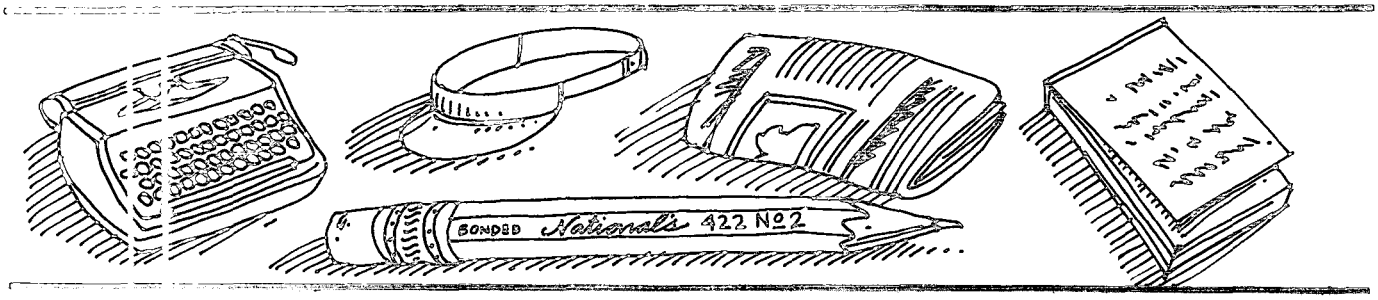
The *Times*, as always, is the most important. Its bureau ranks with the *New York Times* and the *Washington Post* in excellence of national coverage. Its handling of regional issues has improved, particularly with assignment of Ellen Hume to the California delegation. But it still tends to cover the forest and forget the trees. Like other big bureaus, the *Times* leans toward "herd" journalism, shooting for the big story — another Watergate — and downplaying its role as the newspaper of record for California. As a result, an important state story may lose out to some more "sexy" story with national appeal.

Gannett is new to the California field. It has assigned Doug Underwood, a strong reporter, to California and Nevada coverage and, as time goes on, it may increase its emphasis on Washington news. Copley, whose San Diego newspapers are improving by leaps and bounds, is doing a consistently competent job in the nation's capital.

With the full merger of the Knight and Ridder chains, major changes have been occurring. Each of its three California papers has a new editor. In San Jose marked improvements have been made in news handling and display. In Washington, the regionally oriented Ridder bureau and the nationally oriented Knight bureau are learning to coexist. The resulting change in emphasis was expressed recently by a copy editor to a couple of veteran Ridder reporters: "I keep trying to explain to you that quality and quantity are spelled differently." There may be more quality; there is less quantity.

Limited representation

Other newspaper groups have some limited representation in Washington. The Donrey organization, with a number of smaller papers; the Scripps League, with 10 California dailies; Thomson Newspapers, Scripps-Howard and the University of Missouri graduate program which



Knighthood for San Jose, Long Beach and Pasadena

The tides of change have come to the California daily newspapers of Knight-Ridder — the *San Jose Mercury & news*, the *Long Beach Independent-Press Telegram*, and the *Pasadena Star News*.

Since 1974, when Knight and Ridder merged their holdings, all three papers — with a combined circulation of more than 400,000 — have been assigned new editors; one has a new publisher.

The most dramatic change has taken place at San Jose. Their publisher Joseph B. Ridder was moved out of the direct chain of command, becoming "president in charge of long-term planning." He was replaced by a much younger Ridder, P. Anthony (Tony) Ridder, an energetic and activist publisher. Knight-Ridder also sent Larry Jinks from the *Miami Herald* to San Jose, to serve as editor and vice president of the newspapers, making him all but co-equal with the publisher.

Jinks has completely redesigned the *Mercury & News*, converting a rather gray newspaper with new type faces, new sections and new editorial emphasis.

More significantly, Jinks brought in more than a score of new reporters and editors, beefing up news and feature coverage. Most important of the new executives may be John Baker, hired from the *San Francisco Examiner* to become assistant managing editor of the *Mercury*. Baker has led that paper into hard investigative coverage, including stories on possible conflicts of interest involving Fremont Mayor Gene Rhodes. He also has encouraged sensitive coverage of the area's Chicanos and Blacks.

Knight-Ridder has moved more slowly in Long Beach, despite a highly critical story on those newspapers published recently in the *Los Angeles Times*. Early this year the corporation, headquartered in Miami, announced Larry Allison would be the new editor in Long Beach, replacing Miles Sines, who retired. Allison is a former managing editor of the *Independent-Press Telegram*, who has just completed more than a year of executive training on Knight-Ridder newspapers in Detroit, Michigan, and Lexington, Kentucky.

Shortly after he arrived, Allison named Rich Archbold of the *Miami Herald* as managing editor, replacing David Levinson, who became editorial page editor. At the same time Donald Ohl, editorial page editor, became assistant editor/administration.

With the retirement this fall of Samuel Cameron, the paper's well-known and influential general manager, the changes at Long Beach will be all but complete. However, because of Allison's relatively recent arrival, there has been little change in the content of the paper yet.

In Pasadena, the smallest of the three papers and the one most under the gun of the *Los Angeles Times*, Knight-Ridder picked Howard Collins as "editorial director," over veterans Charles Cherniss, the editor, and Ray McConnell, executive editor. Collins, from the *Lexington Herald and Leader*, took over in early July.

In Washington the old Ridder Bureau has been merged into an expanded Knight-Ridder Washington Bureau which provides services not only to its own newspapers but also to a national wire for client newspapers. Overall, Knight-Ridder is the largest organization in the nation in terms of circulation.

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serves four California papers, all provide some Washington coverage.

The radio-TV decline

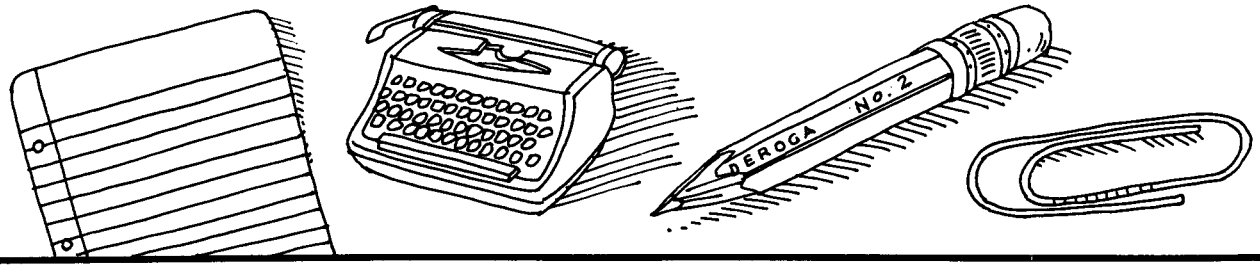
The shifting tides of radio and television coverage are harder to measure. The death of Grant Holcomb of KNXT-TV left a major hole in capital television coverage for Californians. In fact, many state politicians on Capitol Hill feel that radio and television coverage has declined in the past four years. Radio and TV newscasters have the perennial problem of trying to condense the complexities of Washington into 30- or 90-second spots. But a few electronic news staffers do draw praise. Sue Mathis of KTVU-Oakland, Hal Cesna of Cox Broadcasting, and Wes Vernon and Jim McCarthy of the Los Angeles and San Francisco CBS radio stations are all competent regulars on the California beat.

If California media are to be judged, the highest marks have to go to McClatchy for consistent excellence and effort. Outstanding among papers with one-person bureaus are the *Riverside Press-Enterprise,* with the ever-digging Marty Salditch; the *Examiner* and the *Chronicle,* with Tom Eastham and John Fogarty; and the *Sacramento Union* with Al Donner.

But overall, coverage of Washington can best be measured by how well each newspaper handles the issues most significant to California's future. These include:

- ***The continuing battle*** over reclamation law which will decide the size and economic viability of many of the state's richest farms;
- ***The federal role*** in the control of California water;
- ***The Washington response*** to Proposition 13, economically and politically;
- ***The Sun Belt (South and West)*** versus Frost Belt (East and Midwest) fight, which will decide how many federal dollars go to California;
- ***The congressional delegation:*** how and why it's changing, and how it will respond to the challenges of Proposition 13.

If California readers can gain some insights into these complex issues from their hometown newspapers, then the state's press corps in Washington is earning its pay.



The classroom combination

This year, for the first time, the *California Journal Press* has two books designed primarily for college classroom use — the 128-page **California Government and Politics Annual 1978-79** and the 120-page **California Public Administration.**

The **Annual,** published every year by the *California Journal Press,* consists of reprints of *California Journal* articles covering the various branches of government, elections, political reform, lobbying, taxation, local government, the environment, business, health and welfare. There are three new sections this year — on the initiative and recall, on energy, and on women and minorities. The book also includes a "Practical Guide to California Government and Politics."

California Public Administration describes the inner workings of state government — how decisions are made in all branches of state government, with special emphasis on administrative agencies. Reprints of a few *Journal* articles are included, but the bulk of the book consists of previously unpublished material.

The tax-included prices are $3.71 for the **Annual** and $5.25 for **California Public Administration.** Although these books are designed primarily for student use, they can be useful tools for anyone seeking to understand how state government works.

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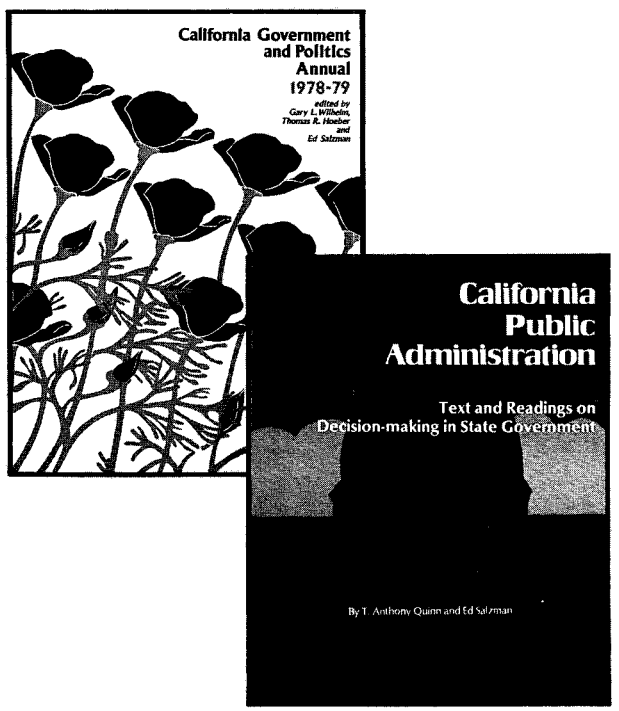
California Government and Politics Annual 1978-79
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California Public Administration
Text and Readings on Decision-making in State Government
By T. Anthony Quinn and Ed Salzman

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Jerry and the Pirates

What a difference two months make: In June, when legislators set to work implementing Proposition 13 in response to the will of the people, the necessary measures were whipped to the Governor's desk in a surprisingly short time. In August, when lawmakers returned to Sacramento from their summer vacation, they set to work meeting two common goals — government spending limitations and additional tax relief. But the get-things-done attitude of June had vanished, and legislators reverted to the same squabbling that led to the passage of Proposition 13 in the first place.

As the Legislature reconvened in early August, the prime issue was a proposed constitutional amendment by Senator George Deukmejian to place spending limits on state and local government. Governor Brown announced that he would support an aternative plan, which eventually emerged under the authorship of Senator John Garamendi. Brown also let it be known that he was receptive to a temporary cut in the sales tax and the indexing of the state income tax or a combination of both.

Deukmejian, the Republican nominee for attorney general, pointed out that the Governor was embracing programs long sought by the GOP and opposed by Brown and other Democrats. The senator added: "If there was a law against stealing legislation, I'm sure the Governor would be convicted of being a career pirate." But the rules of the political game do not allow a member of the minority party, especially one seeking statewide office, to get credit for such a major piece of legislation. Thus the switch to Garamendi.

The offending switcheroo

Brown's switcheroo offended some Democrats as much as Republicans. Legislators who had been holding out against GOP pressure felt somewhat betrayed by the Governor's action. At this point, the most important Democrat in the Legislature, Assembly Speaker Leo T. McCarthy, made a move that shoved Brown, Deukmejian and Garamendi off center stage. McCarthy came up with a mammoth tax relief scheme that would have been the death of the Jarvis-Gann initiative had it been approved by the Legislature a year ago. Other relatively modest bills by Republican Assemblywoman Marilyn Ryan and Democratic Assemblyman Larry Kapiloff were also on the table.

Here are the outlines of the various fiscal proposals then pending before the Legislature:

- ***Deukmejian*** — Starting in June 1979, state and local government spending would be restricted by a formula based on the cost of living and the state's population growth. These limits could be exceeded by majority vote of the Legislature or local agencies in case of emergency.
- ***Garamendi*** — Starting in 1980, would allow state spending to grow only in accordance with a formula based on personal income — estimated at 9.5 percent a year. There would be exceptions, and the limit could be exceeded by two-thirds vote of the Legislature. After four years, the entire plan would be resubmitted to the people to decide whether it should be placed in the state constitution on a permanent basis.
- ***Brown*** — Would imposed spending limits of about 10 percent a year, employing parts of both the Deukmejian and Garamendi plans. Would reduce the sales tax by one cent until next July, and provide for modified indexing of the state income tax. (Under indexing, tax rates are adjusted downward by an amount equivalent to the increase in the cost of living. Brown's proposal would index only the increment in the cost of living above three percent.) The total tax cut would be about $800 million next year.
- ***McCarthy*** — Homeowners would pay no property taxes. Other real estate taxes would be cut 10 percent below what they would have been prior to enactment of Proposition 13. Business inventory taxes would be abolished. Renters would get income tax credits boosted from $37 to $300. Personal income taxes would be indexed to the inflation rate above three percent.

'My pants! My shirt! My shoes! Stop, thief!'

Cartoon by Renault, staff cartoonist of the Sacramento Bee. © 1978, Sacramento Bee.

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• ***Ryan*** — Would index the income tax.
• ***Kapiloff*** — Would quadruple income-tax credits for all persons on a one-time basis (from $25 to $100 for a single person). Profits from sale of a residence would be tax-free once in a lifetime.

The tax-limitation proposals could not be placed on the ballot this November unless the Legislature also approved a measure extending the deadline beyond the normal time. Senator Alan Sieroty tried in vain to get such a measure passed so that the Garamendi proposal and possibly the McCarthy plan could qualify.

Cries of anguish

As it happened, there were few problems in the Assembly, which is controlled by the Speaker. Both the McCarthy proposal and a revised version of the Garamendi constitutional amendment were sent to the Senate with relatively little difficulty. But the Senate balked on two grounds. First, Republicans didn't like the Democrats getting credit for an essentially GOP program. There was resentment in the Upper House against domination by McCarthy and the Assembly. And the Governor didn't flex his muscles to win votes in the Senate — if indeed there was at that point any might left in his political biceps.

McCarthy's bill emerged as the centerpiece. It was far more significant than the spending-limitation measure, a political football which in all likelihood would have had little real effect. McCarthy's bill provoked cries of anguish from the business community, which would have lost most of its Jarvis-Gann benefits. And it was generally accepted as gospel that McCarthy's proposal would pass by a whopping margin if placed on the ballot because of the bonanza it would provide both homeowners and renters. It also would have rewritten Proposition 13 before it really had any chance to go into effect.

The Legislature found itself in mid-August back where it had been before the June election — trying to provide tax relief while the state surplus keeps growing. Despite aid to local government in the wake of Proposition 13, the current estimate is that the state will end this fiscal year some $5 billion in the black.

The solution was to combine the Ryan and Kapiloff bills into an election-year tax-reduction package (under the authorship of the Democrat, of course). As the bill reached the state Senate floor apparently headed for enactment, it contained these features: a one-time income tax cut of $675 million through quadrupling of tax credits, indexing of the income tax above three percent, once-in-a-lifetime forgive-

Senate (26D, 14R)	SCA 61	SCA 66	SCA 71	ACA 4	ACA 47	ACA 53	SB 2243	AB 2546	AB 2744	SCR 81
Alquist (D)	N	N	N	Y	Y	Y	N	Y	Y	Y
Ayala (D)	Y	N	Y	Y	Y	Y	Y	Y	Y	Y
Behr (R)	N	Y	N	Y	Y	Y	N	Y	N	Y
Beverly (R)	N	N	N	Y	Y	Y	N	N	N	Y
Briggs (R)	N	N	*	Y	N	N	N	*	*	N
Campbell (R)	*	*	*	*	*	*	*	*	*	*
Carpenter, D. (R)	N	N	N	*	*	N	*	N	*	*
Carpenter, P. (D)	*	Y	Y	Y	Y	Y	*	N	Y	Y
Cusanovich (R)	N	N	N	Y	N	N	Y	N	Y	Y
Deukmejian (R)	N	*	N	*	*	*	*	*	*	Y
Dills (D)	N	Y	N	Y	Y	Y	Y	*	N	Y
Dunlap (D)	Y	Y	Y	Y	Y	Y	Y	Y	N	Y
Foran (D)	Y	Y	N	*	Y	Y	*	Y	N	Y
Garamendi (D)	Y	N	Y	Y	Y	*	N	Y	N	Y
Garcia (D)	*	Y	N	Y	Y	Y	*	N	Y	N
Greene (D)	*	Y	N	*	Y	Y	Y	*	*	Y
Gregorio (D)	N	Y	Y	Y	Y	N	N	N	N	Y
Holden (D)	*	Y	Y	*	Y	*	Y	*	N	Y
Holmdahl (D)	Y	Y	N	N	Y	Y	Y	Y	Y	Y
Johnson (R)	N	*	Y	N	N	Y	N	Y	Y	N
Marks (R)	Y	*	Y	Y	*	Y	*	Y	*	Y
Mills (D)	Y	Y	N	Y	Y	Y	*	*	*	Y
Nejedly (R)	Y	N	Y	Y	Y	Y	*	*	N	Y
Nimmo (R)	N	N	N	Y	N	Y	N	N	Y	Y
Petris (D)	*	Y	N	Y	Y	Y	Y	Y	*	*
Presley (D)	Y	N	Y	Y	Y	Y	Y	Y	N	Y
Rains (D)	Y	N	Y	Y	Y	Y	Y	Y	N	N
Richardson (R)	N	N	*	N	*	N	*	N	N	N
Robbins (D)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Roberti (D)	Y	N	N	Y	Y	*	Y	*	Y	*
Rodda (D)	N	Y	N	*	Y	Y	*	N	Y	N
Russell (R)	N	N	Y	*	N	*	N	N	N	Y
Sieroty (D)	*	Y	Y	Y	Y	*	Y	*	N	Y
Smith (D)	Y	N	Y	Y	Y	Y	N	Y	N	Y
Song (D)	*	Y	N	Y	Y	Y	*	N	Y	*
Stiern (D)	*	N	N	*	Y	Y	Y	*	*	N
Stull (R)	N	N	N	N	N	N	N	N	N	Y
Vuich (D)	N	N	Y	N	N	N	Y	N	N	Y
Wilson (D)	N	N	Y	Y	N	Y	N	Y	Y	N
Zenovich (D)	N	N	N	Y	Y	Y	N	N	Y	N

VOTING RECORDS

Listed here are the votes of legislators on recent major roll calls through mid-August. Votes selected involve issues of major importance and issues on which there was a major division of opinion, or both.

Y - Yes **N - No**
*** — Absent or not voting**

A ⅔ vote is required for urgency measures, constitutional amendments, and appropriations.

Assembly: 41 votes required for passage of bills needing a simple majority. (⅔ = 54 votes)

Senate: 21 votes required for passage of bills needing a simple majority. (⅔ = 27 votes)

Senate

CONSTITUTIONAL AMENDMENTS

SCA 61 (Garamendi) — Proposed constitutional amendment to limit government spending. Senate refused to accept conference report, 13-18.

SCA 66 (Dills) — Proposed constitutional amendment to exempt business from benefits of Proposition 13.

SCA 71 (Dunlap) — Proposed constitutional amendment designed to prevent legislators from receiving a pay raise this December. Failed 17-20.

ACA 4 (Lewis) — Proposed constitutional amendment allowing news reporters to refuse to disclose their sources. Passed 27-6.

ACA 47 (Brown) — Proposed constitutional amendment eliminating the requirement that all low-income public housing projects be submitted to a vote of the people. Passed 28-7.

ACA 53 (Keysor) — Proposed constitutional amendment revising the criteria for the apportionment of legislative districts. Passed 27-6.

SB 2243 (Sieroty) — Extends deadline for placing constitutional amendments on the November ballot to August 19th. Senate rejects Assembly amendments, 22-15 (27 votes needed).

PUBLIC EMPLOYEES

AB 2546 (Perino) — Increases the monthly retirement allowance of some police officers and firefighters by 15 percent. Passed 22-5.

AB 2744 (Berman) — Allows local agencies and public employees to negotiate agency-shop agreements. Failed 14-20.

MISCELLANEOUS

SCR 81 (Nejedly) — Requests California Highway Patrol to seek federal funds for radar units. Passed 21-9.

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ness of capital-gains tax on the sale of a home, and increased tax breaks for renters, senior citizens, welfare recipients and the disabled. Total tax cut: about $1 billion. Kapiloff himself thanked the Senate finance committee for approving the bill unanimously with a cheerful "Merry Christmas." (He faces a rough reelection fight in November.)

McCarthy or Brown

Considering that McCarthy proposed his blockbuster plan so late in the game, it went remarkably far. The Speaker gave up hope after Garamendi mustered only 13 votes on the Upper House floor for the spending-limit proposal. But the Speaker didn't place the blame on the Senate. He reserved his sharpest comments for his former ally, Governor Brown, telling the *San Jose Mercury-News* that the Governor "is perceived by most legislators as very selfish, someone who isn't willing to work at the job of being a unifying leader."

As though the legislative scene wasn't confusing enough, Attorney General Evelle J. Younger came out with his own tax relief package totaling some $2.4 billion at a critical time in legislative negotiations. No one in the Legislature took seriously the recommendation by the GOP candidate for governor.

While all this was happening, lawmakers had another tricky little problem — whether to accept a 10 percent pay raise in December or hold it off in the spirit of Proposition 13. The Assembly overwhelmingly voted for the delay, but the Senate obtained a legislative counsel's opinion that the pay raise could only be halted by a vote of the people. On a roll call of 17-20, the Senate voted not to prevent the salary level from reaching $25,555, effective December 4th.

The fate of other major proposals:

- ***Water*** — Speaker McCarthy withdrew his support for the Brown Administration's $7 billion plan to build a Peripheral Canal around the San Joaquin-Sacramento Delta, killing the bill (SB 346 by Senator Ruben Ayala).
- ***Busing*** — The Assembly killed a proposed constitutional amendment by Senator Alan Robbins to block court-ordered school busing in Los Angeles.
- ***Crime*** — Governor Brown switched positions from no to yes on a bill (SB 709 by Senator Robert Presley) allowing judges to impose longer prison sentences on those guilty of multiple violent crimes.
- ***Reporters*** — The Senate approved a proposed constitutional amendment by Assemblyman Jerry Lewis giving news reporters the right to protect their sources.

Assembly

EDUCATION

SB 251 (Roberti) — Grants University of California employees access to their personnel files. Passed 65-6.
SCA 46 (Robbins) — Proposed constitutional amendment designed to prevent implementation of busing order for Los Angeles schools. Motion to withdraw measure from committee for floor vote failed, 32-28 (41 votes needed).

TAXATION

AB 2268 (Ryan) — Requires indexing of the state income tax to account for inflation. Passed 73-0.
AB 3802 (Kapiloff) — Quadruples state income tax credits and eliminates capital gains tax on the sale of a homeowner's residence. Passed 75-10.
ACA 2 (McCarthy) — Proposed constitutional amendment to eliminate all property taxes on homes, give renters a $300 tax credit and restore most pre-Proposition 13 property taxes on business. Passed 63-15.
SCA 61 (Garamendi) — Proposed constitutional amendment to restrict government spending. Passed 62-12.

MISCELLANEOUS

ACA 47 (Brown) — Proposed constitutional amendment repealing requirement that all low-income public housing projects be submitted to a vote of the people. Passed 57-10.
ACA 53 (Keysor) — Proposed constitutional amendment revising the criteria for reapportionment of legislative districts. Passed 60-9.

Assembly (57D, 23R)	SB 251	SCA 46	AB 2268	AB 3802	ACA 2	SCA 61	ACA 47	ACA 53
Agnos (D)	Y	N	Y	Y	Y	Y	Y	Y
Alatorre (D)	Y	*	*	Y	Y	Y	Y	*
Antonovich (R)	Y	Y	Y	Y	N	N	N	Y
Arnett (R)	N	Y	Y	Y	N	N	*	N
Bane (D)	*	Y	*	Y	Y	Y	Y	Y
Bannai (R)	Y	Y	Y	Y	Y	Y	Y	N
Bates (D)	Y	N	Y	Y	*	Y	Y	Y
Berman (D)	Y	N	*	Y	Y	Y	Y	Y
Boatwright (D)	*	*	Y	Y	Y	Y	Y	Y
Brown (D)	Y	*	*	Y	Y	Y	Y	*
Calvo (D)	Y	N	Y	Y	Y	Y	Y	Y
Chacon (D)	Y	N	Y	Y	Y	Y	Y	Y
Chappie (R)	N	Y	Y	Y	N	N	*	N
Chel (D)	Y	Y	*	Y	Y	Y	Y	*
Chimbole (D)	Y	Y	Y	Y	Y	Y	Y	Y
Cline (R)	Y	Y	Y	Y	N	N	N	Y
Collier (R)	N	Y	*	Y	N	N	N	N
Cordova (D)	Y	Y	Y	Y	Y	Y	*	Y
Craven (R)	*	Y	Y	Y	*	Y	*	Y
Cullen (D)	Y	*	Y	*	Y	Y	*	Y
Dannemeyer (R)	N	Y	Y	Y	N	N	N	Y
Deddeh (D)	Y	*	Y	Y	Y	Y	Y	Y
Dixon (D)	Y	N	*	Y	Y	Y	Y	Y
Duffy (R)	Y	Y	Y	Y	N	Y	N	Y
Egeland (D)	Y	N	Y	Y	Y	Y	Y	Y
Ellis (R)	*	Y	Y	Y	N	N	*	N
Fazio (D)	Y	N	Y	Y	Y	Y	Y	Y
Fenton (D)	Y	Y	Y	Y	Y	Y	Y	Y
Gage (D)	Y	N	Y	Y	Y	Y	Y	Y
Goggin (D)	Y	Y	Y	Y	Y	Y	Y	Y
Greene (D)	Y	N	Y	Y	N	Y	N	Y
Gualco (D)	Y	N	Y	Y	Y	Y	*	Y
Hallett (R)	Y	Y	Y	Y	Y	Y	Y	Y
Hart (D)	Y	*	Y	Y	Y	Y	Y	Y
Hayden (R)	Y	Y	Y	Y	*	Y	Y	Y
Hughes (D)	Y	N	Y	Y	Y	Y	Y	Y
Imbrecht (R)	Y	*	Y	Y	N	*	N	Y
Ingalls (D)	Y	N	Y	Y	Y	Y	*	Y
Kapiloff (D)	Y	*	Y	Y	Y	Y	Y	Y
Keene (D)	Y	*	Y	Y	Y	Y	Y	Y
Keysor (D)	Y	*	Y	Y	*	Y	Y	Y
Knox (D)	Y	N	Y	Y	Y	Y	Y	Y
Lancaster (R)	N	Y	Y	Y	N	Y	N	N
Lanterman (R)	N	*	Y	Y	N	N	*	*
Lehman (D)	Y	*	Y	Y	Y	Y	Y	Y
Levine (D)	Y	N	Y	Y	Y	Y	Y	Y
Lewis (R)	*	Y	Y	Y	*	Y	N	Y
Lockyer (D)	Y	*	Y	Y	Y	Y	Y	Y
Maddy (R)	Y	*	Y	Y	Y	Y	Y	Y
Mangers (D)	Y	Y	Y	Y	Y	Y	*	Y
McAlister (D)	Y	Y	Y	Y	Y	Y	Y	Y
McCarthy (D)	Y	N	Y	Y	Y	Y	Y	Y
McVittie (D)	Y	Y	*	Y	N	Y	Y	Y
Mello (D)	Y	N	Y	Y	Y	Y	*	Y
Miller (D)	Y	N	Y	Y	Y	Y	Y	Y
Montoya (D)	*	*	*	Y	Y	Y	Y	Y
Mori (D)	Y	N	Y	Y	Y	Y	Y	Y
Nestande (R)	Y	Y	Y	Y	N	Y	N	Y
Papan (D)	Y	N	Y	Y	Y	Y	Y	Y
Perino (D)	Y	N	Y	Y	Y	Y	Y	Y
Priolo (R)	Y	Y	Y	Y	N	N	N	*
Robinson (D)	Y	*	Y	Y	Y	Y	*	Y
Roos (D)	Y	N	Y	Y	Y	Y	Y	Y
Rosenthal (D)	Y	N	Y	Y	Y	Y	Y	*
Ryan (R)	*	Y	Y	Y	N	N	Y	Y
Statham (R)	Y	Y	Y	Y	Y	Y	N	Y
Stirling (R)	*	Y	Y	Y	N	N	*	N
Suitt (D)	*	Y	Y	Y	Y	Y	Y	Y
Thomas, V. (D)	Y	Y	Y	Y	Y	Y	Y	Y
Thomas, W. (R)	Y	*	Y	*	*	*	*	Y
Thurman (D)	Y	*	Y	Y	Y	Y	Y	*
Torres (D)	Y	N	Y	*	Y	Y	Y	Y
Tucker (D)	Y	N	Y	Y	Y	Y	Y	Y
Vasconcellos (D)	Y	N	Y	Y	Y	Y	Y	Y
Vicencia (D)	Y	N	Y	Y	Y	Y	Y	*
Waters, M. (D)	Y	*	Y	Y	*	Y	*	Y
Waters, N. (D)	Y	N	Y	Y	Y	Y	Y	Y
Wornum (D)	Y	*	Y	Y	Y	Y	Y	Y
Wray (D)	Y	Y	Y	Y	Y	Y	Y	Y
Young (D)	Y	Y	Y	Y	Y	Y	Y	Y

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CHARTING THE LEGISLATURE

The following list is a selection of significant bills pending before the Legislature on August 23rd:

SUBJECT	BILLS	DESCRIPTION	STATUS
BALLOT MEASURES	SB 2243 (Sieroty)	Extends deadline for the submission of constitutional amendments for the November ballot.	*In conference committee.*
BOARDS AND COMMISSIONS	AB 3145 (McCarthy)	Abolishes certain state boards and commissions by specified dates unless the Legislature decides to continue their existence.	*On Senate floor.*
CRIMINAL JUSTICE	SB 709 (Presley)	Revises Uniform Determinate Sentence Act to lengthen prison terms for certain felony offenses.	*On Assembly floor.*
GOVERNMENT SPENDING	SCA 42 (Deukmejian) SCA 61 (Garamendi)	SCA 42, and SCA 61 impose varying limits on government spending for future fiscal years.	*SCA 42 was defeated by the Assembly Revenue and Taxation Committee.* *SCA 61 was defeated by the Senate.*
MILK	SB 2214 (Campbell)	Empowers county milk commissions to supervise the production of certified raw milk and milk products and requires that raw milk sold to the public carry a cautionary label.	*Passed Senate. In Assembly Ways and Means Committee.*
NEWSPAPERS	AB 512 (Goggin)	In response to the recent U.S. Supreme Court ruling that permits police officers to make surprise searches of newspaper offices, AB 512 would afford innocent third parties reasonable notice and an opportunity to respond before a search warrant can be issued.	*On Senate floor.*
RENTER RELIEF	SB 2224 (Paul Carpenter) AB 2986 (Bates)	SB 2224 would authorize renters to withhold 50 percent of their rent payments for the month of December unless landlords agree to pass on at least 80 percent of their Proposition 13 tax savings. AB 2986 requires that 80 percent of the tax savings from Proposition 13 be returned to renters and requires landlords to disclose reasons for any future rent increases.	*Both measures are on the Senate floor.*
SPECIAL DISTRICTS	SB 2223 (Gregorio)	Reappropriates $37 million to support fire and police services and appropriates an additional $125 million to finance special districts as a result of revenue losses from Proposition 13.	*Passed Senate. In Assembly Revenue and Taxation Committee.*
TAXATION	AB 2268 (Ryan)	Requires state to "index" personal income tax brackets for inflation so as to avoid collection of a state tax surplus.	*Passed Assembly. In Senate Revenue and Taxation Committee.*
	AB 3802 (Kapiloff)	Increases state income tax credits for single taxpayers from $25 to $100 and for married taxpayers filing joint returns from $50 to $200. Eliminates capital gains tax from the one-time sale of a homeowner's residence.	*Passed Assembly. In Senate Revenue and Taxation Committee.*
	AB 3505 (Nestande)	Would suspend state income tax collections between September 1st and December 31st, 1978, so as to reduce state income taxes by 50 percent for one year only.	*Senate Rules Committee.*
	ACA 2 (McCarthy)	Would eliminate all property taxes on residential property, give renters a $300 tax credit and restore most of the business property taxes reduced by Proposition 13.	*Passed Assembly. In Senate Revenue and Taxation Committee.*
	SCA 66 (Dills)	Would limit the Jarvis-Gann property tax reduction to residential property.	*Defeated in Senate.*

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Will the real Jimmy Carter please stand?

By Leo Rennert

After almost 20 months in office, Jimmy Carter remains a president in search of himself. One day he pictures oil companies as greedy vultures; the next day he promises them higher prices to gain support for his energy program. He blasts the Russians for violations of human rights and suggests he's ready to play rough. A few days go by and, in a new conciliatory stance, he approves the sale of oil-drilling equipment to the Soviet Union. He's a populist, but also a fiscal conservative; a "born again" Baptist who feels compelled to crack down on drug abuse in the White House. He's an environmentalist who's sorry he didn't veto last year's appropriations bill for water projects. Now, finally, he has taken the offensive against the Democratic Congress. No more Mr. Nice Guy with his own party on Capitol Hill; henceforth it'll be a steady diet of vetoes. But while flexing his muscles in public, he caves in privately to pro-nuclear advocates on the breeder reactor to salvage his mangled natural gas-pricing bill.

NO WONDER WASHINGTON is confused. From George Meany to Teddy Kennedy, nobody knows who the "real" Jimmy Carter is. His supporters cheer on Monday, groan on Tuesday. In the meantime, his legislative program has been shredded in Congress. And explanations for that debacle are just as numerous and diverse as answers to the Carter identity riddle.

The perplexity is most strikingly evident among Democrats on Capitol Hill. Many veteran lawmakers who never had any doubts about where Lyndon Johnson, Richard Nixon or Gerald Ford stood are shaking their heads.

The California delegation is no exception. Congressman Jim Corman, for example, has been more directly involved than any of his colleagues in some of Carter's top-priority measures — energy, taxes, welfare reform and national health insurance. Surveying the bloody battlefield, the Van Nuys lawmaker points an accusing finger at Congress — not the White House. In his view, the President submitted fairly sound proposals, but was ambushed by special-interest lobbyists and congressional Democrats suddenly grown fearful that a conservative tide is sweeping the country.

Delegation Chairman John Moss, however, rejects this analysis and instead issues a stinging indictment of Carter and the White House inner circle. Moss and Corman may be old-style liberals with strikingly similar voting records. But the Sacramento lawmaker can't find any redeeming qualities at the other end of Pennsylvania Avenue. Carter, he says, never made a sustained effort to consult and cooperate with Congress. The Georgia "outsider" is still an outsider. Moss, who is retiring after 26 years, is shocked by the "parochial and disorganized" behavior of the President and his advisers. 'Congress usually tends to resolve doubts in favor of the President, but not this Congress," he remarks.

Corman, an 18-year veteran and senior California Democrat on Ways and Means, has a more charitable outlook. The President, he says, campaigned on a pledge to close tax loopholes and his bill would have made the tax code more equitable. But the administration was sandbagged by Ways and Means Chairman Al Ullman of Oregon, who abandoned the White House and forged a coalition with conservative Republicans to produce a $16 billion tax-cut bill tilted in favor of upper-bracket individuals and investors. "The administration couldn't have done better," says Corman, who led a losing floor fight to give middle- and lower-income groups a better break. "The rap belongs on the Hill."

As chairman of the House Welfare subcommittee, Corman also pushed hard for enactment of Carter's welfare reform plan, only to see it die in Ways and Means. Again, he blames Ullman for playing the role of executioner. "It was an excellent proposal," he remarks. But Carter fell into a trap when he accepted Ullman's advice to shelve welfare reform until the battle over the tax bill was over. On energy, Corman gives the President high marks for submitting a comprehensive program that "spreads hardships across the board." Carter's only mistake, he adds, was to push ahead after Congress skewed the bill in favor of producers at the expense of consumers. Even so, Corman swallowed his own strong distaste of the bill and, under direct pressure from Carter, provided the critical vote to get it out of a bitterly divided House-Senate conference committee. The final score on Carter isn't in yet. Sums up Corman: "He's as popular and has the same degree of success as John Kennedy had on the eve of the 1962 elections."

Moss, in contrast, had only the briefest honeymoon with the White House. A stickler for congressional prerogatives, he soon battled with Attorney General Griffin Bell over access to sensitive CIA wiretap documents. When Health, Education and Welfare Secretary Joseph Califano refused to comply with a Moss subpoena for documents on drug-pricing practices by the pharmaceutical industry, the Sacramento lawmaker set in motion contempt proceedings — just as he had done under similar circumstances in a Republican administration. Relations with the White House didn't improve when Hamilton Jordan, Carter's top aide, denied using a crude expletive about Moss but cheerfully admitted that he probably just called him a "jerk." That's not exactly a helpful way to make friends and influence people on Capitol Hill. Almost uniformly, Democratic colleagues congratulated Moss for earning Jordan's ire. Shades of Nixon's "enemies" list!

LOOKING AHEAD to 1980, Corman remains confident that Carter will be "renominated and re-elected" despite the disappointments of the first two years. As for Moss, who backed Carter in 1976 after a falling-out with Jerry Brown, he will again be "solidly" in the Governor's corner. Other Democrats are less sure and are playing a wait-and-see game.

Whatever their current disposition and assessment of the President, the basic enigma remains: What will Carter himself be like in 1980?

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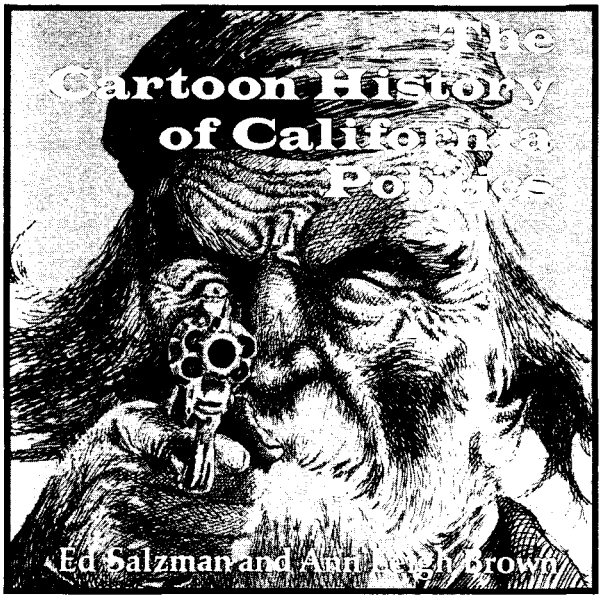

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